

BASIN

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**ORDER AND  
WATER MASTER  
REPORT**

IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI RIVER DIVISION

DEARBORN RIVER BASIN

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IN THE MATTER OF THE ADJUDICATION )  
OF THE EXISTING RIGHTS TO THE USE )  
OF ALL THE WATER, BOTH SURFACE AND )  
UNDERGROUND, WITHIN THE DEARBORN )  
RIVER DRAINAGE AREA, INCLUDING ALL )  
TRIBUTARIES OF THE DEARBORN RIVER IN )  
CASCADE AND LEWIS AND CLARK COUNTIES, )  
MONTANA. )

STATE OF MONTANA  
Water Courts

I hereby certify that the instrument to  
which the certificate is affixed is a true,  
correct and compared copy of the original  
on file in the office of the Clerk of the  
Water Courts.

Witness my hand and the seal of the  
Water Courts of the State of Montana this

25 day of April 1984

*M. J. Esch*  
Clerk of the Water Courts

DEARBORN RIVER BASIN TEMPORARY PRELIMINARY DECREE

General Findings of Fact and Conclusions of Law

These Findings of Fact and Conclusions of Law are made a  
part of the Dearborn River Temporary Preliminary Decree.

FINDINGS OF FACT

1. Authority to Act

This Decree is issued by a Water Judge as authorized by  
Chapter 697, Session Laws 1979 (85-2-201) as amended.

2. Description of Basin - Dearborn River

The Dearborn River, formed by Welcome and Falls Creeks,  
rises high in the Scapegoat Wilderness area of Lewis and Clark  
County.

The Dearborn flows east and southeast to join the Missouri  
River between Helena and Great Falls. On its way, it is  
increased with the tributaries of North, South and Middle Forks;

and Rock, Dog and Stickney join the River as it flows to make its joinder with the Missouri. The tributaries of the Dearborn of primary importance are Auchard Creek and Flat Creek.

The topography of the Dearborn plays a large part in the varied climate. The western part of the Basin is within the rugged mountains of the Lewis and Clark National Forest. The eastern part, which is the agricultural portion of the Basin, can be described as foothills and intermountain basins. The eastern topography of the Basin consists of smooth stony slopes, low ridges dominated by barren shale outcrops, basins and narrow entrenched stream valleys with steep sides.

The principal soils are loams and clay loams of varying depths. Many areas are stony.

Precipitation varies widely from the semi-arid conditions found near the mouth of the Basin to fairly large amounts at higher elevations. The foothills and intermountain basins receive most of the annual precipitation during the winter as snowpack.

The Basin is primarily range for cattle. Sheep ranching plays a secondary but important role. Small grain crops are produced which include winter wheat, spring wheat, oats and barley. Crops used for hay include small grains, wild hay, alfalfa and clover.

The Dearborn is part of Montana's early history. On July 18, 1805, Captain Meriwether Lewis wrote in his journal: "This handsome, bold and clear stream we named in honor of the Secretary of War - calling it Dearborn River."

There were 859 claims of existing water rights filed in the Dearborn River Basin for irrigation, stockwatering, domestic and other uses. The boundaries of this Basin are outlined in the attached map.

### 3. Water Right Owner

Generally, the Court issues a water right to the appropriator, who is usually the claimant. If there is evidence that a change of ownership has occurred, the Court issues the right in the name of the new owner. If a change has occurred and the Court was not informed, the correct name can be added at a later date.

Some water rights are claimed by more than one person on separate claim forms. When both claimants insist on ownership, each is decreed the right but a remark is added to each decree noting the conflict.

### 4. Pre-1973 Water Rights

The general adjudication of water rights is to cover rights existing before 1973.

An existing water right includes those rights which would be protected under the law as it existed prior to July 1, 1973, pursuant to 85-2-102(7) MCA.

### 5. Specifics of Procedure

The Court outlined and supervised the procedure of processing the claims to existing rights. A claim is examined



for incomplete or inaccurate information. It is then reviewed for actual and beneficial use. The Court ordered the Department of Natural Resources and Conservation to assist in the processing of the claims.

The extent of each individual water right claim is further defined by these Findings of Fact and Conclusions of Law. Where a claimant filed two or more water rights on the same claim form, each right was separated and assigned an individual water right number. If the claim did not include all the information required by 85-2-224 MCA and the information was not available, the right was decreed within the limits of the information submitted.

The specifics of each individual claim is defined by an abstract of the water right. Each individual abstract of the claimed right includes (where possible):

- (a) The name and post office address of the owner of the right;
- (b) The amount of water, rate and volume included in the right;
- (c) The date of priority of the right;
- (d) The purpose for which the water included in the right is used;
- (e) The place of use and a description of the land, if any to which the right is appurtenant;
- (f) The source of water included in the right;
- (g) The place and means of diversion;
- (h) The inclusive dates during which the water is used each year;
- (i) Any other information necessary to fully define the nature and extent of the right.

#### 6. Multiple Uses of a Water Right

Usually, a water right is decreed and the uses of the right are noted. In this general adjudication, the claimants filed

separate claims for each use of the water right. Special claim forms were used for irrigation, stockwatering, domestic use and a catch-all form for all other uses. As a result of this unique filing, each use of a water right will be decreed separately. Therefore, a water right might be represented by two or more decreed uses.

A remark notation of the multiple use of a water right appears in the following instances:

1. Whenever an irrigation and an "Other Use" are for the same water right.

2. Whenever a water right has two or more "Other Uses."

In all cases where any multiple use of a right occurs, the combined flow rate and volume cannot exceed the original appropriation. The use of the right for several purposes does not increase the extent of the right, rather it decrees the right to alternate and interchange the use (purpose) of the water in accord with historic practices.

#### 7. Source Name

Although some sources of surface water in the Dearborn River Basin were claimed under several names, the source is generally designated in the Decree by the name listed in the United States Geological Survey. If the source has not been designated by the U.S.G.S., the source name of most common recognition in the locality has been used.

Commonly recognized reservoir and lake names will appear as source names. Those lakes and reservoirs that have no commonly

recognized name are generally decreed under the name of the outflowing stream. The source name index of the Temporary Preliminary Decree cross-indexes any such source names for easy access.

When more than one source is claimed for a water right, the Court determines the major source and lists that source in the Decree. If more than one source is determined to be major, a separate claim is made for the claimant.

#### 8. Priority Date

The priority date claimed is recognized as prima facie and so decreed except where it is incomplete; or it would result in a clearly erroneous interpretation of the law; or the claim's supporting documentation contradicts the claimed priority date.

Priority dates were decreed in accord with the following:

Where a claimed priority date included only a year, or a year and a month, the last day of the year and the last day of the month are decreed as the priority date.

Priority dates for groundwater rights after 1961 are reviewed for compliance with the Groundwater Act. Priority dates are not changed if it appeared that the wrong form had been used.

If a claim to groundwater after 1961 is based on use, the priority date is decreed as the date of filing the claim to the existing right.

#### 9. Irrigation

Irrigation is a beneficial use of water. The limits of irrigation rights are guided by reliance on crop requirements and the overall efficiency of the irrigation system.

Flow Rates. Flow rates are decreed in gallons per minute (gpm) or in cubic feet per second (cfs) instead of the traditional miner's inches. Eleven gpm is equivalent to one miner's inch; forty miner's inches is equivalent to one cubic foot per second.

The flow rates of all previously decreed water rights are unchanged and issued in accord with the flow rate decreed in the original adjudication. When different claimants claimed water rights based on decrees and the total flow rate claimed between the claimants exceeded the amount on the document, a remark is entered on each decree noting those decreed uses of the earlier decreed right.

Flow rates based on a "filed notice of appropriation" or "use" right shall not exceed a reasonable application rate. A reasonable application rate for flood, sprinkling and pump systems which is in keeping with the general requirement of most users in the Basin shall not exceed 17 gpm per acre (1.5 miner's inches). The Court has decreed all claimed flow rates of 17 gpm per acre or less on such systems. However, if the submitted documentation clearly documents a larger claimed flow rate, it was so decreed.

Water spreading, subirrigation and natural overflow and other irrigation systems not subject to quantification do not generally have a constant or consistent flow rate. The extent of the right is limited by the decreed volume. While the water

rights for subirrigation and natural overflow are decreed, the owner of the right does not have a right to demand continued right of the water by these means of diversion.

Flow rates are measured by the point of diversion.

Volume. Volume is decreed in acre-feet beneficially used in one year. An acre-foot of water will cover one acre to a depth of one foot. Net crop consumption requirements are considered to be the total amount of irrigation water a crop will use during an average growing season. Water usage is dependent on the overall efficiency of the irrigation system. General maximum requirements of differing systems are outlined in the following table:

Climatic Area	Flood Systems (diversion ditch) Volumes (AF/A)	Sprinkler & Pumped Diver- sion Systems Volumes (AF/A)	Water Spreading Systems, Sub- irrigation and Natural Overflow Volumes (AF/A)
I	5.7	3.8	2.3
II	5.3	3.5	2.1
III	5.0	3.3	2.0
IV	4.6	3.1	1.9
V	4.4	3.0	1.8

Climatic areas are delineated by reliance on the designation of Irrigation Guide for Montana, USDA, S.C.S., 1973.

Volumes are measured at the point of diversion.

Any claimed volume not exceeding those designated in the table are decreed as claimed. Those exceeding the volume designated in the table are reduced in accord with those standards. In any case, where the documentation clearly supports a greater amount, it was so decreed.

Place of Use.

A. Verification of Place of Use. Irrigation rights are decreed to a defined place of use. In delineating the place of use, the claim is verified by the use of aerial photographs, field investigation and data submitted by the Department of Natural Resources and Conservation and the claimant. The place of use for irrigation is accepted as claimed except when the land did not appear irrigated or irrigable.

The place of use is designated by legal land description and can be further defined by reference to the maps and referenced aerial photographs included in the Court records.

B. Supplemental Water Rights and Place of Use. In many cases, several water rights with differing priority dates or different sources are combined to supplement the irrigation requirements of all or part of the same acreage. Each water right is decreed a specific place of use, flow rate and volume. Where these rights are used jointly, the combined volume and flow rate cannot exceed the amount of water necessary for the designated beneficial use.

The water user has the right to determine the volume contribution of each source or priority up to the maximum volume.

Period of Use. Because the period of use can vary widely for each individual user, the period of use is accepted as claimed unless the claimed period of use contradicts a previously decreed or documented period of use.

If a period of use was not designated by the claimant, a

period of use for irrigation claims was assigned in accord with a reasonable irrigation season for the climatic area. Those seasons are as follows:

<u>Climatic Area</u>	<u>Period of Use</u>
I	3-15 to 11-15
II	4-01 to 10-30
III	4-15 to 10-15
IV	4-20 to 10-10
V	4-25 to 10-05

Place and Means of Diversion. The place and means of diversion are designated. The place of diversion is specifically designated by legal land description.

Secondary points of diversion are noted when possible; however, the claim and claimant's map in many cases will more specifically define the point of diversion.

When a point of diversion is found on a source other than the one claimed, the other source points of diversion are decreed when that source is determined to be an incidental part of the original source. A remark will appear with the other source points of diversion that identifies the incidental source. If the other source is not considered incidental, a separate claim is created.

#### 10. Irrigation Districts

Some irrigation districts used their water rights on designated places of use and the right has become appurtenant to the land. In those cases, the claim was verified and decreed in accord with the criteria used for all other irrigation claims.

Where the irrigation district engaged in the sale of water or the place of use changed on a continuing basis, the claimed flow rate and volume were decreed as claimed without an attempt to verify usage.

The several rights on one claim form are identified as being supplemental. Water rights from separate sources that water the same land are identified as being supplemental.

#### 11. Domestic Use

Flow Rate. The average flow rate from a groundwater source in the State of Montana is approximately 25 gallons per minute. However, a flow rate of 40 gallons per minute is acceptable. As a result, those domestic rights with a claimed flow rate of 40 gallons per minute or less are so decreed. Where the claimed flow rate and the accompanying documentation does not substantiate a flow rate, the right is decreed a flow rate of 25 gallons per minute. When a flow rate claimed had been previously decreed, the flow rate is not changed.

Volume. A reasonable volume of water for domestic use is calculated at 1.0 acre-feet per household with an additional .5 acre-foot for each quarter acre of yard.

Flow rates and volumes are measured at the point of diversion.

Place of Use. Land irrigated as part of the domestic use is decreed as part of the place of use. If a claim for domestic use included irrigation separate from the domestic use, the irrigated land was decreed separately.



Period of Use. The period of use claimed is the period of use decreed.

## 12. Stockwater

Volume. Stockwater is a beneficial use of water. The limit of the right is based on a consumptive use of 30 gallons per day per animal unit. An animal unit is described as a cow/calf pair or equivalent. The number of animal units is in most instances limited to the reasonable carrying capacity of the area historically serviced by the water source. In those cases when historically the source is utilized more intensively, for instance in the case of a confined stockyard, the right increases based on the number of animal units. Finally, where the stockwater is impounded in a reservoir, a right to reasonable carryover for use in future years is acknowledged.

Flow Rate. The flow rates for groundwater developments for stockwatering purposes were governed by the same principles on domestic groundwater sources. Those rights involving stock drinking directly from instream surface water sources do not reflect a specific flow rate. The instream flow rate shall be reasonable and shall not exceed the extent of the right as historically utilized.

Place of Use. Where stock drink directly from the surface water source, the point of diversion and place of use seek to show all land adjacent to the source.

## 13. Reservoirs and Storage of Water

A storage right can exist for water that would otherwise go to waste. This right is dependent upon the lack of interference with other rights.

The right to appropriate water by storage in a reservoir is a right separate from a water right. Actual beneficial use of stored water creates a water right. The Court decrees the limits of that right.

#### 14. Other Uses

In the Dearborn River Basin, claims for fish, wildlife, recreation, mining and commercial use were submitted.

The Court finds that no individual nor Department filed any valid instream claims for fish, wildlife and recreational instream uses.

"Murphy Rights." Section 1 of Chapter 345 of the 1969 Session Laws provided for the appropriation of water in designated streams to maintain fish and wildlife habitat. The Court subjects these rights to all prior existing rights pursuant to 89-801 RCM 1947. The flow rate and volume of these rights are subject to change should the Court determine the waters are needed for a use determined to be more beneficial to the public.

Flow Rates. Flow rates are decreed as claimed unless the documentation accompanying the claim supported a different amount. The Court could not, however, determine a flow rate for the minimal amount necessary to sustain fishing, wildlife, recreation and navigation. Flow rates for mining, power

generation and fish raceways are accepted when it is determined that the amount claimed is less than the average annual stream flow. Rates in excess of the average annual stream flow are reduced to that average rate.

Volumes. Volumes are decreed as claimed unless the documentation accompanying the claim support a different amount.

Commercial and industrial use are limited to a reasonable volume of five acre-feet unless documentation supported a higher volume.

Incidental Use. Many purposes, especially fish, wildlife and recreation, are incidental to another beneficial use of water. The extent of the water right for an incidental use is no more than the extent of the primary use of the water.

Non-Consumptive Use. The Court recognizes that several uses do not consume water. A remark is added to these uses declaring the use to be non-consumptive.

#### 15. Standards

Standards have been used by the Water Court to aid in calculating flow rate, volume and other elements of a water right. These standards are guidelines only and can be modified to reflect an individual's own circumstances upon objection.

#### 16. Claimed Federal Reserved Water Rights

The determination of water rights in the Dearborn River Basin shall be subject to the contents of any future compact negotiated by the Montana Reserved Water Rights Compact

Commission and the United States of America which will determine reserved water rights of the United States Forest Service. Should no compact be approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983) or applicable law, this Preliminary Decree is subject to the determination, in accordance with State procedure, of water rights claims of the United States of America on behalf of the United States Forest Service. The general adjudication of water rights is to cover rights to the use of water which would be protected under the law as it existed prior to July 1, 1973, subject to the livestock and domestic uses exempted in 85-2-222 Montana Code Annotated (1983).

#### 17. Terminated Claim

The Water Court takes judicial notice of water claims that have been terminated during this adjudication process.

Instances are:

1. A claim filed with the adjudication Field Office and withdrawn and terminated by the claimant because of self-confessed errors and filed anew.
2. Claims filed and then withdrawn at claimant's request.
3. Claims that appear in the abstracts of water rights as part of the Temporary Preliminary Decree because they were assigned a "number" by the Helena, Montana office, and later returned to the forwarding Field Office; and these claims have a remark on the abstract of their termination for one reason or another from claimant. These claims are "alphabetized" and

stored in the archives of the Department of Natural Resources and Conservation by Field Offices.

The claims are printed in both decrees. The "0" prefix will tell the computer to print a statement saying, "The Court finds no right for this claim, as it has been withdrawn at the request of the claimant."

4. Claims terminated by the Field Offices and the DNRC before an Order of this Court of April 22, 1982, ordering that these claims were not to be terminated but stamped at the time of filing and processed as all other claims, even though there was a failure of payment of fees. All claims terminated because of lack of payment will be considered specially by this Court at the time of Temporary Preliminary Decree hearings.

Based on the Findings of Fact, the Water Judge makes the following:

#### CONCLUSIONS OF LAW

1.

This Report meets the requirements for a Preliminary Decree as required by 85-2-321 MCA 1979.

2.

For each person who claims an existing water right in this Basin, there is attached to this Temporary Preliminary Decree a statement defining the nature and extent of his claimed right, as found by the Water Court and as requested by 85-2-231 MCA and 85-2-234 MCA; these Conclusions make all these attached statements a part of this Report.

3.

All notices, all substantive and procedural requirements of court adjudication of water claims and requirements for hearing and decision have been fulfilled.

4.

The water adjudicated in this cause is a water use that is of a beneficial use and is the property of the State of Montana and for the use of these named water claimants, subject to their appropriative rights as specified in this Report.

5.

All Findings are merged with these Conclusions of Law to give them the force of law in this Report.

6.

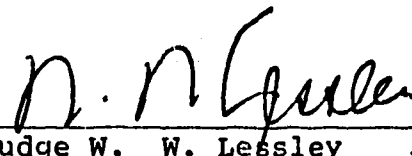
Should the reserved water rights claims of the United States of America on behalf of the United States Forest Service be determined by a compact approved in accordance with Title 85, Part 2, Chapter 7, Montana Code Annotated (1983), or approved in accordance with applicable law, objections to the Preliminary Decree may be made by the United States of America, the Department of Natural Resources and Conservation, a person named in this Decree, or any other person for good cause shown.

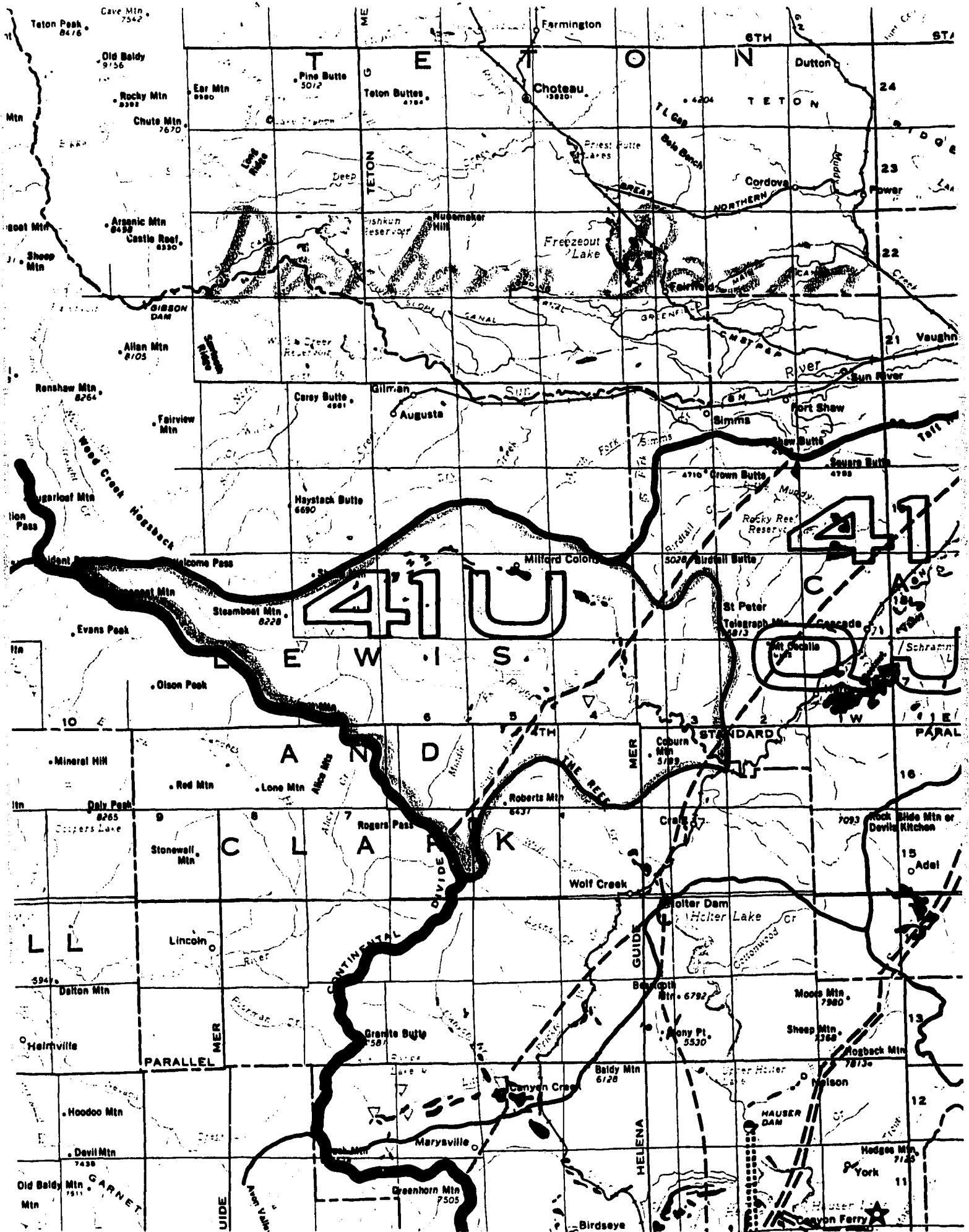
Should no compact be approved, the claim of the United States of America on behalf of the United States Forest Service will be determined by this Court in accordance with State procedure.

No Final Decree will be issued on the Dearborn River Basin until each person who has filed a claim of existing right and

the United States of America on behalf of the United States Forest Service has been notified of the determination of all water right claims in the Basin, including the reserved water rights of the United States Forest Service, and any proper objections to those determinations have been heard.

DATED this 23 day of April, 1984.

  
Judge W. W. Lessley  
Chief Water Judge  
P.O. Box 879  
Bozeman, MT 59715





IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI DIVISION

DEARBORN RIVER BASIN

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IN THE MATTER OF THE ADJUDICATION )  
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OF ALL THE WATER, BOTH SURFACE AND )  
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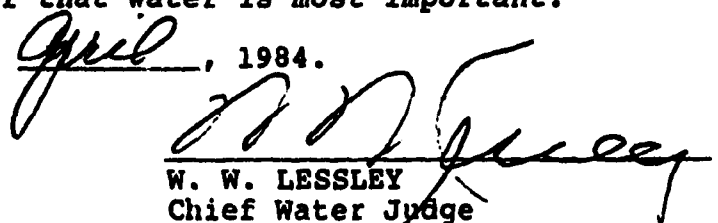
MEMORANDUM

Early in our State's history (March 12, 1885) we were concerned about measurement of Montana water.

85-5-302 MCA, whose genesis was a statute of 1905, is still our guiding law. It states ". . . shall be required to have suitable headgates at the point wherein a ditch taps a stream and shall also, at some suitable place on the ditch and as near the head thereof as practicable, place and maintain a proper measuring box, weir or other appliance for the measurement of water flowing in such ditch."

Now, as we move into the present and future of water and its management, measurement of that water is most important.

DATED this 23 day of April, 1984.

  
W. W. LESSLEY  
Chief Water Judge  
P.O. Box 879  
Bozeman, MT 59715

IN THE WATER COURTS OF THE STATE OF MONTANA

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MEMORANDUM

The command of the Legislature was to "expedite" and facilitate the adjudication of the water rights of Montana.

To assure a speedy, simple and effective program for adjudication of Montana water, there was created a specific statewide program, operated by a newly created Water Courts system, all under the supervision of the Montana Supreme Court.

The Act creating the adjudication program and its Water Courts became law May 11, 1979; immediately on June 8, 1979, the Supreme Court promulgated its rules and prescribed forms and set in motion a statewide filing of water right claims.

Meanwhile, between May 11, 1979 and June 12, 1979, Water Judges were elected. Present Water Judges are Bernard W. Thomas, Robert M. Holter and Roy C. Rodeghiero. Early in June, 1979, these Water Judges met and began supervising (under Supreme Court direction) the preparing, filing and collecting of more than 200,000 water claims in the State of Montana. These Judges met and elected Judge W. W. Lessley to act as a Chief

Water Judge to give direction and unity to their work. (In 1981 a statute amending the original Adjudication Act was passed and Lessley was appointed Chief Water Judge by Chief Justice Haswell of the Supreme Court.)

On April 30, 1982, all water claims were in under the direction of the Water Courts and clarification by field personnel began.

In early November, 1980, the first Water Master was appointed and adjudication began in two large basins of the Powder River. 10,302 water claims were adjudicated, 316 objections were filed; hearings held on 146 cases. A final decree on both basins was filed April 14, 1983, and only one appeal from all that adjudication has been filed in the Supreme Court.

Meanwhile in June, 1983, the Water Courts had the 200,000 claims computerized and in a single master computer located in Helena. The Courts are now supervising the final verification of all claims for the final computer run for all preliminary decrees.

The organization and staff of the Water Courts has grown. As directed by the Legislature, it has three Water Judges, a Chief Water Judge, three Water Masters, an engineer assigned to and actively working with the Water Courts, and two office employees skilled in office skills, word processing, docket-base computer work and in Water Courts procedures and forms.

The Water Courts have established their own Rules of Court, specialized forms for objections, pre-pre trial and pre-trial

procedure for water case hearings and trials; all objections are heard promptly and accurate recording machines prepare Court records and transcripts of all hearings.

As of now, final decrees have been issued in three Basins.

The Water Courts in 1984 will adjudicate at least sixteen Basins; there is a real possibility to adjudicate 20 Basins.

Specifically, 13,506 individual water claims have been clarified, verified and adjudicated by preliminary decrees as of January, 1984, with final decrees ahead.

This comprehensive Water Court program has been challenged in Federal Courts. The words of the District Federal Judges who first heard the challenge are significant. The key phrase of the evaluation of Montana's program by Chief District Judge Battin and District Judge Hatfield is: "It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient." Federal Judges Battin and Hatfield spell out the specifics of the working of the Montana Water Courts in this clear and practical language:

"By enactment of the last legislature of the State of Montana, Senate Bill 76, as yet uncoded, has provided the vehicle for adjudicating claims of existing water rights in Montana. The provisions of that Bill bear heavily upon this Court's decision to dismiss these cases on the basis of wise judicial administration.

In essence the Bill provides for adjudication of all existing water rights in the State of Montana. Section 6 of the Bill provides that:

- 1) The action for the adjudication of all existing water rights under [this act] is commenced with the issuing of the order by the Montana Supreme Court to file a statement of a claim of an existing water right as provided in [section 16].
- (2) The water judge for each division shall exercise jurisdiction over all matters concerning the determination and interpretation of existing water rights within his division.
- ....
- (4) All matters concerning the determination and interpretation of existing water rights shall be brought before or immediately transferred to the water judge in the proper water division unless witnesses have been sworn and testimony has been taken by a district court prior to the date of the Montana Supreme Court order as provided in [section 16].

Section 16 of the Bill provides that:

- (1) The Montana Supreme Court shall within 10 days of the filing of the petition by the attorney general issue an order to file a statement of a claim of an existing water right in substantially the following form:

#### "WATER RIGHTS ORDER

FAILURE TO FILE A CLAIM AS REQUIRED BY LAW WILL RESULT IN A CONCLUSIVE PRESUMPTION THAT THE WATER RIGHT OR CLAIMED WATER RIGHT HAS BEEN ABANDONED.

. . . This order is notice of commencement of procedures for the general adjudication of existing rights to the use of water and of the requirement to file a claim for certain existing rights to the use of water. Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency of the State of Montana, and federal agency of the United States of America on its own behalf or as trustee for any Indian or Indian tribe, asserting a claim to an existing right to the use of water arising prior to July 1, 1973, is ordered to file a statement of claim to that right with the department no later than June 30, 1983. . ."

- [3] The above-cited sections reflect both the policy and the essential mechanism for adjudication of state water rights. Adjudication by adversary proceeding initiated by one claimant against all others in his drainage has been for-

saken in favor of blanket adjudication of all claims, including federal and federal trust claims, in a systematic manner. The procedure outlined in the Bill is that of: (1) filing of an order by the Supreme Court requiring the filing by all claimants of statements of each claim; (2) upon filing of all claims, submission of the claims to the water judge in the division or district in which the claimed water is diverted; (3) through utilization of special masters, the rendering, by the water judge, on the basis of the filed claims, of a preliminary decree of water right; (4) after passage of time without objection to the preliminary decree, entry of a final decree of water right which is binding upon all parties; (5) if objection is timely taken by the claimant to the preliminary decree, judicial determination of the right, but without the necessity of joining all users in the claimant's drainage.

And the Court concludes:

As the general adjudication has been initiated by recent order of the Montana Supreme Court, it would seem that the greater wisdom lies in following Colorado River, and on the basis of wise judicial administration, deferring to the comprehensive state proceedings. The federal proceedings are all in their infancy; service of process has been but recently completed. The state adjudication is thorough, as opposed to the piecemeal proceedings initiated by the Government. There is no jurisdictional question preliminarily attending the state adjudication; all such questions have been eliminated by the McCarran Amendment. The state forum will likely be more convenient, geographically, than the federal forum.

The original hearing before the 9th Circuit carried the minority opinion of Circuit Judge Merrill. His statements are significant as bearing on the need and practicality of the Montana Water Courts operation:

I agree with the district court. Water adjudication is essentially a local concern, and in every western state water scarcity poses a problem not just to Indians but to everyone. In

my view, it is highly important that each state be accorded room for an effort to solve its water scarcity problem in the manner it regards as most appropriate. Here so long as Montana gives recognition to Indian water rights and their establishment pursuant to federal law, I see no good reason why Indians shouldn't be joined with other water users in the state in order to achieve a comprehensive state adjudication.

Finally, the federal law on the Montana Water Courts, as spoken by the Supreme Court of the United States, through Justice Brennan for the Majority:

In light of this history, the parties in this case have engaged in a vigorous debate as to the exact meaning and significance of the Arizona and Montana Enabling Acts. We need not resolve that debate, however, nor need we resort to the more general doctrines that have developed to chart the limits of state authority over Indians, because we are convinced that, whatever limitation the Enabling Acts or federal policy may have originally placed on state court jurisdiction over Indian water rights, those limitations were removed by the McCarran Amendment.

And on specific problems of Indian rights and federal reservations vis-a-vis Montana State program by adjudication, the Justice continued:

But the most important consideration in Colorado River, and the most important consideration in any federal water suit concurrent to a comprehensive state proceeding, must be the "policy underlying the McCarran Amendment," 424 U.S., at 820; see Moses H. Cone Hospital, supra, at \_\_\_\_\_, and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from the application of that policy or from the general principles set out in Colorado River.

Even more important is Justice Brennan's clear approval of what the Montana Water Courts can do:

. . . assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings.

We here at the Montana Water Courts know the Justice is not retreating from general principles of Indian rights, and federal reservations. In these words he makes the understanding clear:

Nothing we say today should be understood to represent even the slightest retreat from the general proposition we expressed so recently in New Mexico v. Mescalero Apache Tribe, ante, at \_\_\_\_\_, (1983): "Because of their sovereign status, [Indian] tribes and their reservation lands are insulated in some respects by an 'historic immunity from state and local control,' Mescalero Apache Tribe v. Jones, 411 U.S. 145, 152 (1973), and tribes retain any aspect of their historical sovereignty not 'inconsistent with the overriding interests of the National Government.' Washington v. Confederated Tribes, [447 U.S. 134, 153 (1980)]." Nor should we be understood to retreat from the general proposition, expressed in Colorado River, that federal courts have a "virtually unflagging obligation. . . to exercise the jurisdiction given them." 424 U.S., at 817. See generally Moses H. Cone Hospital, supra, at \_\_\_\_\_. But water rights adjudication is a virtually unique type of proceeding, and the McCarran Amendment is a virtually unique federal statute, and we cannot in this contract be guided by general propositions.



Further:

We also emphasize, as we did in Colorado River that our decision in no way changes the substantive law by which Indian rights in state water adjudication must be judged. State courts, as much as federal courts, have a solemn obligation to follow federal law. Moreover, any state court decision alleged to abridge Indian water rights protected by federal law can expect to receive, if brought for review before this Court, a particularized and exacting scrutiny commensurate with the powerful federal interest in safeguarding those rights from state encroachment.

The Act creating the Water Courts and its jurisdiction and its operation meets the caveats of Justice Brennan's opinion. This is evident in the careful adjustment of the general adjudication process to special problems of Indian and federal reserved rights.

85-2-701. Legislative intent. Because the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the general adjudication of existing water rights under the Montana Water Use Act. Therefore, it is the intent of the legislature that the attorney general's petition required in 85-2-211 include all claimants of reserved Indian water rights as necessary and indispensable parties under authority granted the state by 43 USC 666. However, it is further intended that the state of Montana proceed under the provisions of this part in an effort to conclude compacts for the equitable division and apportionment of waters between the state and its people and the several Indian tribes claiming reserved water rights within the state.

85-2-702. Negotiation with Indian tribes. (1) The reserved water rights compact commission, created by 2-15-212, may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts under 85-2-701. Compact proceedings shall be commenced by the commission. The commission shall serve by

certified mail directed to the governing body of each tribe a written request for the initiation of negotiations of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced.

(2) When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of the state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana, any affected tribal governing body, and the congress of the United States.

(3) Upon its approval by the Montana legislature and the tribe or federal agency, the terms of a compact must be included in the preliminary decree as provided by 85-2-231. However, if approval of the state legislature and tribe or federal agency has not been accomplished by July 1, 1985, all federal and Indian claims for reserved water rights that have not been resolved by a compact must be filed with the department within 60 days. These new filings shall be used in the formulation of the preliminary decree and shall be given treatment similar to that given to all other filings.

85-2-703. Negotiation with federal government. The compact commission may also enter into separate negotiations with the federal government for the conclusion of compacts concerning the equitable division and apportionment of water between the state and its people and the federal government claiming non-Indian reserved waters within the state. The terms and conditions of such negotiations shall be the same as provided in this section for negotiations with Indian tribes.

85-2-704. Termination of negotiations. The commission or any other party to the negotiations may terminate negotiations by providing notice to all parties 30 days in advance of the termination date. On the termination date, the suspension of the application of part 2 provided for in 85-2-217 shall also terminate. The tribe or federal agency shall file all of the claims for reserved rights within 60 days of the termination of negotiations.

A strict construction of the language used in 85-2-231(d) which states, "The preliminary decree shall be issued within 90 days after the close of the special filing period.", read together with 85-2-270(3), which says that the reserved rights not resolved by an approved compact "must be filed" and "shall be used in the formulation of a preliminary decree" indicates that either approved compacts or filed claims are technically necessary to issue a preliminary decree. However, this strict construction of the legislation could frustrate the clear legislative purpose underlying SB76, which is to "expedite and facilitate" the general adjudication of water rights, by slowing the adjudication process.

The Legislature has authorized the use of an interlocutory decree or "other temporary decrees" prior to the issuance of a preliminary decree when it is needed for "the orderly administration of water rights," 85-2-231. The inclusion of this procedure supports the argument that a preliminary decree should not be issued lacking an approved compact or filed reserved right claims. On the other hand, it also supports the argument that the Court should proceed expeditiously to adjudicate basins even though the extent and quantity of federal reserved right claims is undetermined and unknown.

After close study of the language pertaining to preliminary decrees in the Water Use Act, we should conclude that 85-2-231 technically requires inclusion of approved compacts or filed claims for reserved rights. But as a practical matter it is insignificant whether the decree is called a preliminary or a

temporary decree if they both do the same thing. Furthermore, if both decrees have the same legal effect, the use of the normal procedure, which involves issuance of a preliminary decree, makes sense because it is consistent with the general adjudication procedures established by the Legislature and the Water Courts, and, therefore best serves the orderly administration of water rights.

All pertinent case law in talking of state adjudication programs speak of a "state-wide unified adjudication" of water.

As stated, our Federal District Court of Montana, (Chief Judge James F. Battin and Judge Paul G. Hatfield), have characterized Montana's adjudication of water with these words:

"It is clear that the adjudication contemplated by the Bill is both comprehensive and efficient."

And the 9th Circuit granted a stay of Federal actions as preferable to dismissal. The Court clearly states:

"Moreover the question of adequacy of the State proceedings is one best decided by the State Courts in the first instance."

Further, the McCarran Amendment as interpreted in Colorado River allows and encourages a comprehensive water adjudication to quantify Indian water rights.

And Justice Brennan said:

"... and, despite the strong arguments raised by the respondents, we cannot conclude that water rights suits brought by Indians and seeking adjudication only of Indian rights should be excepted from

the application of that policy or from the general principles set out in Colorado River. In the cases before us, assuming that the state adjudications are adequate to quantify the rights at issue in the federal suits, and taking into account the McCarran Amendment policies we have just discussed, the expertise and administrative machinery available to the the state courts, the infancy of the federal suits, the general judicial bias against piecemeal litigation, and the convenience to the parties, we must conclude that the District Courts were correct in deferring to the state proceedings."

What of our general adjudication of Montana water? Is it comprehensive? Is it effective? Clearly SB76 (C. 697) is comprehensive. Its mandate from the Legislature is to adjudicate all the water resources. It seeks and will quantify all of Montana's water. The water of individuals, municipal corporations, other corporate entitles, Indian water rights, and other Federal reserved rights in Montana - all of this to the end that statewide we will have certainty as to our water - where it is, who owns it, what it is used for, how long it is used, the source. In fact, the caption item of the water right issued by the Water Courts best shows its comprehensive character of over 200,000 individual and corporate water claims and unnumbered Indian rights and Federal reserved rights. Here is a caption of the water right issued:

CERTIFICATE OF WATER RIGHT NO. W-1005050-00

OWNER:

PRIORITY DATE:

FLOW RATE:

VOLUME:

SOURCE:

PURPOSE:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

PLACE OF USE:

GENERAL REMARKS:

Comprehensive is the key description of the Water Courts plan.

Long before actual gathering of the thousands of water claims, the Court with the help of the Department of Natural Resources and Conservation prepared an Atlas of Water Resources by Hydrologic Basins. This inventory of surface water resources consists of drainage basin maps showing location and relation to each other.

From the three major Continental Basins, a division was made within the State of six major drainage basins based on the streams which flow out of the State and do not reenter: the Kootenai, Clark Fork of the Columbia, St. Mary, Missouri, Yellowstone and Little Missouri. The Belle Fourche drainage of the Cheyenne River in South Dakota extends into a small area of the southeast corner of Montana.

Then the six major drainage basins were divided into 15 sub-major drainage basins consisting of the Upper Clark Fork, Lower Clark Fork; Flathead and Kootenai River Basins in the Columbia River drainage; the Upper Missouri tributaries; Missouri-Smith, Missouri-Sun-Marias; Missouri-Musselshell; Milk; and Missouri-Fork Peck Basins in the Missouri River drainage; the Upper Yellowstone; Middle Yellowstone; and Lower Yellowstone

River Basins in the Yellowstone drainage; the St. Mary River Basin in the Hudson Bay drainage; and the Little Missouri River Basin.

Then again the 15 sub-major basins were divided into 85 minor drainage basins representing the minor tributaries within the State. On a statewide plan of 85 basins, the Court began its statewide adjudication. All of these are based on the work of the Office of Water Data Coordination; U.S. Department of the Interior; Geological Survey Atlas of stream gaging stations. Slight modifications clearly do not significantly change any of the OWDC basins.

The Atlas includes twelve maps showing the 15 sub-major drainage basins with two of these maps showing more than one of the drainage basins on one map page. The maps show culture in black, power lines in grey, and streams and stream names in blue. The major, sub-major, and minor drainage basin boundary lines are shown in three significant widths of red lines. Existing and proposed flood control projects are located by red stars with open stars representing potential projects while closed stars designate existing projects. Blue triangle represent U.S.G.S. stream discharge gaging stations with righted triangles representing stations active as of January 1, 1970, and inverted triangles representing those stations, used in the past, but now discontinued. Green areas on the maps represent presently irrigated land according to the county-wide surveys being conducted by the water resources survey division, Montana Water Resources Board.

The last two maps in the Atlas are prepared by the Montana Water Resources Board staff from information supplied by cooperating agencies.

The first is one prepared through a joint effort of the Water Board and the Montana Fish and Game Department. Shown in green are the fishing access sites, state parks and monuments, and state recreation areas maintained by the Fish and Game Department throughout the State. An index to this map provides the proper names of each of these sites as of January 1, 1970.

The last map in the Atlas shows mountain precipitation by colored isohyet lines representing increments of annual precipitation above 20 inches. This map was prepared in cooperation with the Soil Conservation Service and the National Weather Service.

This detailed information should make clear the detailed planning of our comprehensive, statewide program.

The unification of our statewide plan of state court adjudication of water rights is evident in our approach toward Indian water rights and Federal reserved rights.

The Compact Commission is organized; is working; is talking with the Indian tribes concerning compacts on their water. The Compact Commission is attempting to secure talks with the Forest Service.

All of this procedure is considered by the Water Courts because in the words of the law, ". . . the water and water rights within each water division are interrelated, it is the intent of the legislature to conduct unified proceedings for the

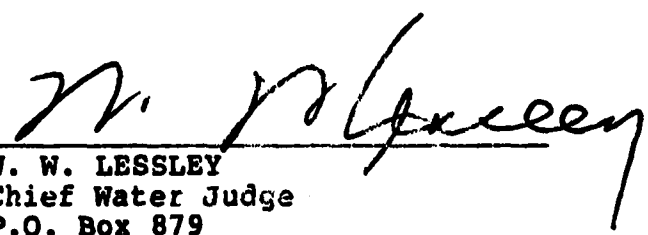


general adjudication of existing water rights. . ."

And so the Water Courts Rule of Court Number 10 and its findings of fact on compacts and federal reservations meet the requirement for unified proceedings. And in some extreme cases to meet what the words of the statute call "the orderly administration of water rights prior to the issuance of a preliminary decree" the Water Court can use an "interlocutory" or "temporary" decree.

In any event, the statewide unified adjudication of water goes on.

DATED this 23 day of April, 1984.

  
W. W. LESSLEY  
Chief Water Judge  
P.O. Box 879  
Bozeman, MT 59715

BASIN

414

**NOTICE OF ENTRY OF  
PRELIMINARY DECREE AND  
NOTICE OF AVAILABILITY**

IN THE WATER COURTS OF THE STATE OF MONTANA  
UPPER MISSOURI DIVISION - DEARBORN RIVER BASIN (41U)  
\*\*\*\*\*

NOTICE OF ENTRY OF TEMPORARY PRELIMINARY DECREE AND  
NOTICE OF AVAILABILITY

Since you have filed a claim for a water right existing before July 1, 1973, we are sending with this Notice your abstract of your claim entered on the Dearborn River Basin.

However, if you received a certificate or applied for a "water use permit to appropriate" or reserve water under the 1973 Water Use Act do not expect to receive an abstract of that document.

This Notice is being sent to others as required in 85-2-232 MCA.

WHAT IS A TEMPORARY PRELIMINARY DECREE

A Temporary Preliminary Decree decides the water rights in the Dearborn River Basin and lists those water rights.

If you don't agree with what it decides as to your right or any other water right which may affect your water right claims, you may file an objection, request a hearing and the Water Courts will hear it. See the general Findings of Fact and Conclusions of Law for further explanation of your right.

A water right in the Temporary Preliminary Decree remains unchanged and will be so entered in the Final Decree if it is not objected to during the objection period. However, if determinations of Indian and Federal reserved water rights present circumstances affecting that water right, additional objections may be filed.

IF A RIGHT IS NOT OBJECTED TO, IT SHALL REMAIN UNCHANGED AND BE ENTERED IN THE FINAL DECREE.

HOW YOU FILE AN OBJECTION AND REQUEST A HEARING

AN OBJECTION MUST BE FILED PURSUANT TO WATER COURTS RULE #6 AND ON THE FORMS PROVIDED BY THE WATER COURTS.

ALL OBJECTIONS MUST BE FILED AND RECEIVED BY THE 9th DAY OF AUGUST, 1984. Objections must be sent to the Montana Water Courts, P.O. Box 879, Bozeman, MT 59715.

CAN YOU GET AN EXTENSION?

Extension for filing objections may be granted by the Water Judge. Requests must be received by the Water Courts on or before the 9th day of August, 1984. USE THE FORM FURNISHED BY THE WATER COURTS AND FOLLOW WATER COURT RULE #7.

WHERE YOU CAN SEE OR GET THE TEMPORARY PRELIMINARY DECREE (OR FINDINGS OF FACT AND CONCLUSIONS OF LAW) FOR THE DEARBORN RIVER BASIN

See it at:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources Field Office, 28 S. Rodney

(Over Please)

Helena, MT 59620

4. Clerk of the Court, Cascade County, Great Falls, MT 59401
5. Clerk and Recorder, Cascade County, Great Falls, MT 59401
6. Clerk of the Court, Lewis and Clark County, Helena, MT 59601
7. Clerk and Recorder, Lewis and Clark County, Helena, MT 59601

Microfilm of the existing water rights claimed and the abstract as reviewed by DNRC at:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources, Field Office, 28 S. Rodney Helena, MT 59620
4. Clerk of the Court, Cascade County, Great Falls, MT 59401

You can buy a copy of the Temporary Preliminary Decree at the Department of Natural Resources, Water Rights Bureau, 32 South Ewing, Helena, MT 59620.

Any questions? Call the Water Courts Office at (406) 586-4364.

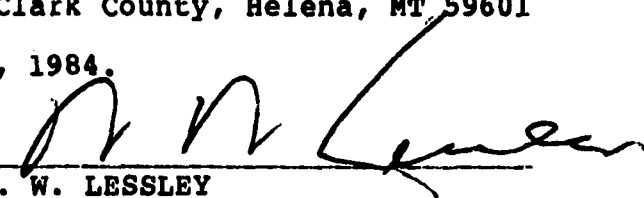
#### AFTER OBJECTIONS ARE FILED

After the time for filing objections has passed, the Water Courts will notify each party named in the Decree that hearings have been requested and set a date for all interested parties to notify the Water Courts of their intent to participate in any of those hearings.

THE WATER COURT RULES AND FORMS CAN BE FOUND AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Clerk of the Court, Cascade County, Great Falls, MT 59401
3. Clerk of the Court, Lewis and Clark County, Helena, MT 59601

DATED this 10th day of May, 1984.

  
W. W. LESSLEY  
Chief Water Judge  
P.O. Box 879  
Bozeman, MT 59715

BASIN

414

**ACCEPTABLE LAKE AND  
RESERVOIR NAMES**

## BASIN 41U

Acceptable Lake Name

Outflowing Stream

1) Bean Lake

Dearborn River

**BASIN** 414

**CERTIFICATE  
OF MAILING**

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 444-6801 ADMINISTRATOR  
(406) 444-6846 ENGINEERING BUREAU  
(406) 444-6888 WATER DEVELOPMENT BUREAU  
(406) 444-6601 WATER MANAGEMENT BUREAU  
(406) 444-6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

May 14, 1984

Ms Chris Jenson  
Water Courts  
Box 879  
Bozeman, MT 59715

Dear Chris:

Enclosed is the certificate of mailing for the Dearborn  
River Basin (Basin 41U). This mailing was completed May 10,  
1984.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Kindle".

Jim Kindle  
Records Section Supervisor  
Water Rights Bureau

Enclosure  
JK/jg



DEARBORN RIVER BASIN (Basin 41U)

CERTIFICATE OF MAILING

The Notice of Entry of Temporary Preliminary Decree and Notice of Availability  
for the Dearborn River Basin (Basin 41U)

\*\*\*\*\*

State of Montana                    )  
                                      : SS.  
County of Lewis and Clark        )

I, JAMES E. KINDLE, Records Supervisor for the Water Resources  
Division of the Department of Natural Resources and Conservation of the State  
of Montana, hereby certify that:

A. The Notice of Entry of Temporary Preliminary Decree, Notice of  
Availability, and abstracts showing dispositions of each person filing a claim  
for the Dearborn River Basin (Basin 41U) has been placed in the United States  
Mail, postage prepaid and addressed to each party as per the records of the  
Water Rights Bureau, Department of Natural Resources and Conservation, May 10,  
1984.

B. The Notice of Entry of Temporary Preliminary Decree and Notice of  
Availability for the Dearborn River Basin (Basin 41U) has been placed in the  
United States Mail, postage prepaid and addressed to each party as per the  
records of the Water Rights Bureau, Department of Natural Resources and  
Conservation, May 10, 1984 for (1) all parties in the Dearborn River issued  
permits for water use in that Basin pursuant to 85-2-301 MCA 1978 or their  
successor in interest, if known; (2) all parties who have applied for permits  
for use of water in the Dearborn River Basin pursuant to 85-2-301 MCA 1978;

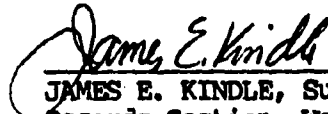
(3) all parties who have been granted a reservation in the Dearborn River Basin pursuant to 85-2-316 MCA 1978; (4) all parties in the Dearborn River Basin who have received certificates of water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; (5) all federal land management agencies in the Missouri Water Division; (6) all Indian Tribes in the Missouri Water Division; (7) all neighboring states of the Missouri Water Division; (8) the County Clerk of Court and Clerk and Recorder of Cascade, and Lewis & Clark Counties, Montana; (9) any other persons who have requested service of notice from the Water Judge.

C. The Department of Natural Resources and Conservation sent to the Clerk of Court and Clerk and Recorder of Cascade and Lewis & Clark Counties entire copies of the Temporary Preliminary Decree for the Dearborn River Basin and indexes thereto.

D. The Department of Natural Resources and Conservation sent to the Clerk of Court of Cascade County (Great Falls, MT) microfilm copies of prima facia claims and Department records for all claims submitted in the Dearborn River Basin.

This mailing and distribution was made under my direction and control on May 11, 1984.

Dated this 14<sup>th</sup> day of MAY, 1984.

  
JAMES E. KINDLE, Supervisor  
Records Section, Water Rights Bureau  
Water Resources Division  
Department of Natural Resources and  
Conservation  
State of Montana

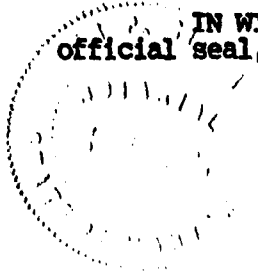
State of Montana )

: ss.

County of Lewis & Clark)

On this 14 day of May, 1984, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.



John P. Gibbons  
Notary Public for the State of Montana  
Residing at Helena  
My Commission expires 1-21-1987

NOTICE TO INTERESTED PARTIES

Basin 41U

(5)

All Federal Land Management Agencies in the Upper Missouri Division

Area Director  
U.S.D.A. Forest Service  
Federal Building  
Missoula, MT 59807

Director  
Bureau of Land Management  
P.O. Box 38600  
Billings, MT 59107

Division Engineer  
U.S. Army Corps of Engineers  
P.O. Box 103  
Downtown Station  
Omaha, NE 68101

Regional Director  
Bureau of Reclamation  
316 North 26th Street  
Room 3035  
Billings, MT 59101

Soil Conservation Service  
10 West Babcock  
Room 443, Federal Building  
Bozeman, MT 59715

(6)

All Neighboring States of the Upper Missouri Division

Director  
Department of Water Resources  
450 West State Street  
Boise, ID 83720

George L. Christopulos  
State Engineer  
State Office Building East  
Cheyenne, WY 82002

(7)

All Indian Tribes in the Upper Missouri Division

Mr. Michael Fairbanks  
Superintendent  
Blackfeet Agency  
Browning, MT 59417

Mr. Earl Old Person  
Chairman  
Blackfeet Tribal Business Council  
Blackfeet Agency  
Browning, MT 59417

(8)

County Officials

Mrs. Florence McGiboney  
Clerk of the Court  
Cascade County Courthouse  
Great Falls, MT 59401

Mr. Joe Tropila  
Clerk and Recorder  
Cascade County Courthouse  
Great Falls, MT 59401

Mrs. Clara Gilreath  
Clerk of the Court  
Lewis and Clark Co. Courthouse  
Helena, MT 59601

Miss Sue Bartlett  
Clerk and Recorder  
Lewis and Clark Co. Courthouse  
Helena, MT 59601

(9)  
Other Interested Parties

Department of Natural Resources  
Field Office  
28 South Rodney  
Helena, MT 59620

Pat Barry  
Indian Resource Section  
Land and Natural Resources  
U.S. Dept. of Justice  
10th and Pennsylvania Ave. NW  
Washington, D.C. 20530

U.S. Attorney General  
Department of Justice Building  
Washington, D.C. 20530

Field Solicitor  
Room 5931  
Federal Building  
Billings, MT 59103

G. Steven Brown  
Attorney for Montana Dept.  
Fish, Wildlife & Parks  
1313 11th Avenue  
Helena, MT 59601

Rich Munger  
1007 North Warren  
Helena, MT 59601

HKM Associates  
Attn: Ralph Saunders  
P.O. Box 31318  
Billings, MT 59107

John C. Chaffin  
Dept. of Interior  
SOL/DER/6045  
18th and C Streets NW  
Washington, D.C. 20240

Regional Director  
U.S. Fish and Wildlife Service  
P.O. Box 25486  
Denver Federal Center  
Denver, CO 80225

U.S. Attorney  
Federal Building  
Great Falls, MT 59401

Aaron Hostyk  
U.S. Army Engineer District Omaha  
Corps of Engineers  
6014 U.S. Post Office and Courthouse  
Omaha, NE 68102

Tom Leubben  
Attorney at Law  
P.O. Box 25686  
Albuquerque, NM 87125

Ted Doney  
Attorney at Law  
314 N. Last Chance Gulch  
Helena, MT 59601

NA

this is in computer  
as 5th Ave So.

Form No. 100  
(Rev. 11-7-66)  
**RECEIVED**  
JUN 14 1977

STATE OF MISSISSIPPI  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
12 South King, Natchez, Mississippi 39001

44 U

BY AT WILL H. HARRIS  
REGISTERED A SURVEYOR

**NOTICE OF COMPLETION OF GROUND-WATER DEVELOPMENT**

For ground-water developments with a minimum yield less than 100 gpm

**IMPORTANT**

The right to the use of ground water is not automatic. Your priority will be determined by the date of filing this form; however, DO NOT SUBMIT THE FORM UNTIL THE DEVELOPMENT IS COMPLETED, WITH PUMP OR OTHER MEANS OF WITHDRAWAL INSTALLED. Attach the appropriate filing fee, payable to the Department of Natural Resources and Conservation.

**FOR DEPARTMENT USE ONLY**

Notice No. 13736-9014  
Date received June 29, 1977  
(month) (day) (year)  
Time 1:55 PM BY John Janner  
Transmittal No. 77-247  
Fee received \$5.00

*[Signature]*

(Please type or print in ink)

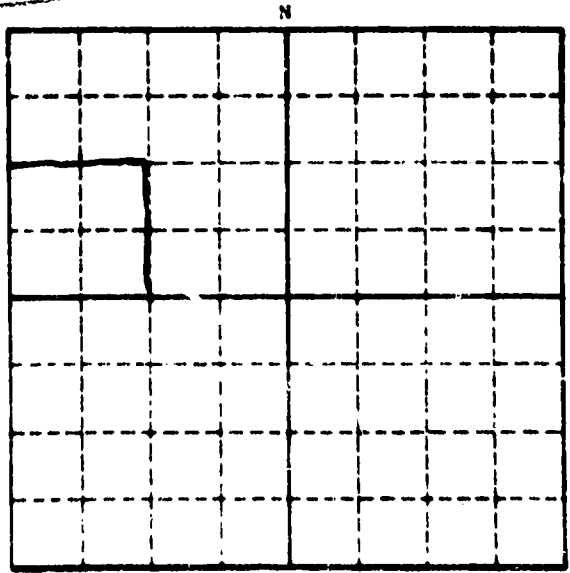
1. Name(s) Philip L. Paul  
Mailing Address 504 4th Ave. So.  
City or town Great Falls State Miss Zip 37405  
Home phone No. 453-9123 Other phone No. \_\_\_\_\_

2. Source of water supply Well  
(well, pit, developed spring, pump, etc.)

3. Point of withdrawal:  
Lot \_\_\_\_\_ Block \_\_\_\_\_  
Subdivision \_\_\_\_\_  
SW 1/4 NW 1/4 Section 27  
Township 16 N Range 6 W  
County Lewis & Clark

Indicate use of use and point of withdrawal on the map. Attach additional maps, aerial photos, etc., if needed.

Attach your legal land description, as shown on your deed, the county recorder, or the clerk and recorder.



(Complete reverse side)

04/30/84 18/25

PRELIMINARY DECREE - NEW APP OWNERS TO BE NOTICED - BASIN 41U

PAGE

[illegible][illegible][illegible][illegible]





TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

ALT BOX 211 AUGUSTA	CARLIN	J	
	MT		59410
ALT BOX 124 AUGUSTA	PAULINE	B	
	MT		59410
APS CORP 710 10TH AVE SW GREAT FALLS			
	MT		59404
BARRETT BOX 288 AUGUSTA	PHYLLIS	A	
	MT		59410
BARRETT BOX 288 AUGUSTA	WARREN		
	MT		59410
BARRETT LAND & LIVESTOCK CO BOX B AUGUSTA			
	MT		59410
AY WOLF CREEK	BETTY	A	
	MT		59648
SEAN BOX B AUGUSTA	ETHEL	M	
	MT		59410
BEAN AUGUSTA	FERN	L	
	MT		59410
BEAN AUGUSTA	WALLACE	R	
	MT		59410
BROWN WOLF CREEK	HELEN	G	
	MT		59648

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\*\* OWNER LIST \*\*\*\*\*

BURGGRAFF	JUDY	B	
WOLF CREEK		MT	59648
BURGGRAFF	JUDY	B	
PO BOX 173		MT	59648
WOLF CREEK			
BURGGRAFF	PETER	A	
WOLF CREEK		MT	59648
BURGGRAFF	PETER	A	
PO BOX 173		MT	59648
WOLF CREEK			
C BAR N MISSION BOARD			
BOX 444		MT	59410
AUGUSTA			
CANFIELD	ALICE	M	
WOLF CREEK		MT	59648
CANFIELD	LESTER	E	
WOLF CREEK		MT	59648
CRABTREE	BOBBY JEAN		
MISSION RT		MT	59421
CASCADE			
CRABTREE	FRANK	C	
MISSION RT		MT	59421
CASCADE			
CURRAN	D	M	
X FIRST NATIONAL BANK BLDG			
SUITE 500		MT	59401
GREAT FALLS			
CURRAN	D MICHAEL		
FIRST NATIONAL BANK BLDG			
SUITE 500		MT	59401
GREAT FALLS			

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

CURRAN 1ST NATIONAL BANK BLDG SUITE 500 GREAT FALLS	D MICHAEL MT	59401	CURRAN 1ST NATIONAL BANK BLDG SUITE 500 GREAT FALLS	D MICHAEL MT	59401	CURRAN 1ST NATIONAL BANK BLDG SUITE 500 GREAT FALLS	D MICHAEL MT	59401
CURRAN 1ST NATIONAL BANK BLDG STE 500 GREAT FALLS	D MICHAEL MT	59401						
CURRAN OIL CO 1ST NATIONAL BANK BLDG SUITE 500 GREAT FALLS	MT	59401						
DEARBORN CANAL & WATER CO X ED BARRETT DEARBORN RANCH WOLF CREEK	MT	59648						
DEBUS 1501 CHESTNUT HELENA	DOPOTHY MT	59601						
DELLWO 90WMANS CORNER WOLF CREEK	ROBERT MT	59648						
DIEZIGER 3604 5TH AVE S GREAT FALLS	DELBERT MT	59405						
DIEZIGER 3604 5TH AVE S GREAT FALLS	SHARON MT	59405						
DURR 710 10TH AVE SW GREAT FALLS	CHARLES MT	59404						
DURR 710 10TH AVE SW GREAT FALLS	SYLVIA MT	59404						
ELDER 1400 HAUSER BLVD HELENA	KATHIE MT	59601						

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

ELDER 1400 HAUSER BLVD HELENA	KENNETH MT	S 59601
FRANKLIN 4428 6TH AVE S GREAT FALLS	GARY MT	J 59405
FRANKLIN 4428 6TH AVE S GREAT FALLS	RUTH MT	E 59405
GIBSON, TOM LIVESTOCK CO WOLF CREEK	MT	59648
GILBERT 2920 NATIONAL AVE HELENA	ROBERT MT	N 59601
HARMAN 14817 HAYMARKET LN CENTREVILLE	LAURINDA VA	B 22020
HEYDWEILLER WOLF CREEK	THOMAS MT	D 59648
HICKS L Y RANCH WOLF CREEK	BILL MT	C 59648
HICKS L Y RANCH WOLF CREEK	SHIRLEY MT	E 59648
HILGER WOLF CREEK	DON MT	W 59648
HILGER WOLF CREEK	SARA MT	B 59648

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

HOWE	GRACE	M	
WOLF CREEK		MT	59648
INGERSOLL	WILMER	Z	
WOLF CREEK		MT	59648
JACKSON	JOYCE	L	
4 NORTHWESTERN DR		MT	59715
BOZEMAN			
JACKSON	M	J	
4 NORTHWESTERN DR		MT	59715
BOZEMAN			
JACKSON	MIKE	J	
4 NORTHWESTERN DR		MT	59715
BOZEMAN			
KELLY	MATILDA	A	
4725 N MONTANA AVE		MT	59601
HELENA			
KELLY	VICTOR	R	
4725 N MONTANA AVE		MT	59601
HELENA			
KENCK, JR	OSCAR	A	
AUGUSTA		MT	<del>59401</del> 59410
KERKES	ELEANOR		
STAR RT BOX 40		MT	59472
SAND COULEE			
KRONE RANCH INC			
BOX 275		MT	59410
AUGUSTA			
KYLER	EDWARD	W	
MISSION RT		MT	59421
CASCADE			

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

KYLER MISSION RT CASCADE	MARY	K	MT	59421
LARKIN 105 RIVERVIEW DR W GREAT FALLS	GLOKADON	S	MT	59404
LEVINE LAND & CATTLE CO WOLF CREEK			MT	59648
MASONIC HOME OF MONTANA 425 N PARK AVE HELENA			MT	59601
MCAULEY RT 1 S BOX 2329 CASCADE	JOE	R	MT	59421
MCAULEY RT 1 S BOX 2329 CASCADE	MARY	L	MT	59421
MCCANN 2805 BONITA GREAT FALLS	ANNE	M	MT	59404
MCDONOUGH WOLF CREEK	NORMAN	L	MT	59648
MCGILLIS 4401 RIVER DR N GREAT FALLS	DONALD		MT	59401
MCGILLIS 4401 RIVER DR N GREAT FALLS	PATRICIA	H	MT	59401
MCKELVEY 829 N RODNEY HELENA	NORA	B	MT	59601

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

MELANEY CHARLES F  
NW OF WOLF CREEK  
WOLF CREEK MT 59648

MELANEY SUSAN M  
NW OF WOLF CREEK  
WOLF CREEK MT 59648

MILFORD COLONY INC  
WOLF CREEK MT 59648

MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

MONTANA, STATE OF DEPT OF FISH WDLFE & PARK  
1420 E 6TH AVE  
HELENA MT 59620

MONTANA, STATE OF DEPT OF HIGHWAYS  
2701 PROSPECT  
HELENA MT 59620

MOSHER FERN V  
BOX 285  
AUGUSTA MT 59410

MOSHER RICHARD M  
BOX 285  
AUGUSTA MT 59410

MOSHER S WILLIAM  
BOX 385  
AUGUSTA MT 59410

MOSHER, STEPHEN RANCH INC  
BOX 385  
AUGUSTA MT 59410

MURPHY ARTHUR J  
WOLF CREEK MT 59648

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

MURPHY	BETTY	C	
WOLF CREEK		MT	59648
MURPHY	GARY	E	
WOLF CREEK		MT	59648
MURPHY	MABEL	E	
WOLF CREEK		MT	59648
MYLES 57 INC			
611 N JACKSON ST			
HELENA		MT	59601
NELSON			
710 10TH AVE SW	BRUCE	A	
GREAT FALLS		MT	59404
NELSON			
611 N JACKSON	MICHAEL	E	
HELENA		MT	59601
NELSON			
611 N JACKSON ST	MICHAEL	E	
HELENA		MT	59601
NELSON, BRUCE HOMES			
1401 11TH AVE S			
GREAT FALLS		MT	59404
NICHOLS			
1901 9TH AVE	HARRY	V	
HELENA		MT	59601
NOEL			
WOLF CREEK	BETH	M	
		MT	59648
NOEL			
WOLF CREEK	ROY	D	
		MT	59648



TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

OBRIEN 2120 5TH AVE N GREAT FALLS	MARY MT	J 59401
OBRIEN 2120 5TH AVE N GREAT FALLS	PATRICK MT	J 59401
OLSON 3433 8TH AVE N GREAT FALLS	FAYE MT	M 59401
ONEILL CASCADE	GENE MT	59421
ONEILL CASCADE	HOWARD MT	P 59421
PAUL 2422 WALNUT ST BUTTE	COLLEEN MT	A 59701
PAUL 504 4TH AVE S GREAT FALLS	PHILIP MT	L 59405
POTTER 2020 1ST AVE SW GREAT FALLS	FRANK MT	A 59404
POTTER 2020 1ST AVE SW GREAT FALLS	JOELLEN MT	A 59404
QUIRK 1712 13TH AVE S GREAT FALLS	JAMES MT	J 59405
RITTEL BLACK TAIL RANCH WOLF CREEK	JOHN MT	F 59648

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

ROWE 3411 7TH AVE S GREAT FALLS	CLARENCE MT	J 59405
ROWE 3411 7TH AVE S GREAT FALLS	CONRAD MT	J 59405
RUGWELL 1313 15TH AVE S GREAT FALLS	ARTHUR MT	W 59405
RUGWELL 1313 15TH AVE S GREAT FALLS	RUTH MT	J 59405
SCHOEDEL STAR RT WOLF CREEK	KAREN MT	L 59648
SCHOEDEL STAR RT WOLF CREEK	TIMOTHY MT	P 59648
SEMAN 105 RIVERVIEW DR W GREAT FALLS	ARLEN MT	59404
SEVERTSON 309 26TH ST NW GREAT FALLS	JOHN MT	M 59404
SHOQUIST 3433 8TH AVE N GREAT FALLS	SHIRLEY MT	R 59401
SKEES 1117 1 AVE S GREAT FALLS	JOHN MT	R 59403
SOAP CREEK CATTLE CO PO BOX 275 AUGUSTA		MT 59410

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

STEINBACH MARVIN H  
WOLF CREEK MT 59648

STEINBACH RANCH CO  
WOLF CREEK MT 59648

TANNEHILL NANCY S  
BOX 557 MT 59421  
CASCADE

TAYLOR JUDITH W  
WOLF CREEK MT 59648

THOMPSON ARTHUR D  
WOLF CREEK MT 59648

THOMPSON FAY E  
WOLF CREEK MT 59648

THOMPSON FRANK C  
WOLF CREEK MT 59648

THOMPSON MARGIE A  
WOLF CREEK MT 59648

US AIRFORCE  
US ARMY CORPS OF ENGINEERS  
SEATTLE DISTRICT PO BOX C3755 WA 98124  
SEATTLE

US DEPT OF AGRICULTURE FOREST SERVICE  
REGION 1  
PO BOX 7669 MT 59807  
MISSOULA

US DEPT OF ARMY CORP OF ENGINEERS  
SEATTLE DISTRICT  
PO BOX C3755 WA 98124  
SEATTLE

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U

\*\*\*\* OWNER LIST \*\*\*\*

VACURA 2625 HOWARD AVE BILLINGS	JERRY	MT	59102
VACURA 2625 HOWARD AVE BILLINGS	MARTHA	MT	E 59102
WILLIAMS	LUCILE		J
WOLF CREEK		MT	59648
WILSON DIAMOND DOT RANCH WOLF CREEK	ANITA	MT	J 59648
WILSON DIAMOND DOT RANCH WOLF CREEK	JOHNNY	MT	R 59648
WISEMAN BOX 116 STAR RT VAUGHN	GLENN	MT	R 59487
WISEMAN BOX 116 STAR RT VAUGHN	LEROY	MT	G 59487

[illegible]

## NAME VARIATION CHECK ON NEW APP 8 SBT6 OWNERS - BASIN 41U

BOX 211  
BOX 124  
BOX 352  
710 10TH AVE SW

BOX 288  
BOX 288  
BOX B

BOX B

125 RIVERVIEW DR E  
125 RIVERVIEW DR E

PO BOX 173  
PO BOX 173  
2018 8TH AVE SOUTH  
2018 8TH AVE SOUTH  
BOX 44

CRAIG RT  
712 MAIDEN  
MISSION RT  
210 GRAHAM  
2 FIRST NATIONAL BANK BLDG  
1ST NATIONAL BANK BLDG  
1ST NATIONAL BANK BLDG STE 500  
1ST NATIONAL BANK BLDG  
1ST NATIONAL BANK BLDG  
1501 BARRETT  
ED CHESTNUT  
BOOMANS CORNER  
3604 5TH AVE S  
3604 5TH AVE S  
710 10TH AVE SW  
710 10TH AVE SW  
903 7TH AVE NW  
RT 1 W BOX 236  
RR 1382

1400 HAUSER BLVD  
1400 HAUSER BLVD  
1612 2ND AVE SO  
1612 2ND AVE SO  
4428 6TH AVE S  
4428 6TH AVE S  
1612 2ND AVE SO  
1612 2ND AVE SO

2920 NATIONAL AVE  
3837 4 AVE N

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AUGUSTA FALLS  
AUGUSTA CREEK  
WOLF CREEK  
AUGUSTA  
AUGUSTA CREEK  
AUGUSTA  
AUGUST A FALLS  
GREAT FALLS  
WOLF CREEK  
GREAT CREEK  
WOLF CREEK  
WOLF CREEK  
WOLF CREEK  
LEWISTOWN  
CASCADENE  
HELENA  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
WOLF CREEK  
HELENA  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
HELENA  
HELENA  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
GREAT FALLS  
WOLF CREEK  
HELENA  
GREAT FALLS

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04/30/84 16/27

NAME VARIATION CHECK ON NEW APP &amp; SB76 OWNERS - BASIN 41J

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[illegible][illegible]

04/30/84 18127

STATE OF	DEPT OF	HIGHWAYS
MONTANA	FERN RICHARDSON	V
MOSHER	S MILLIAN	M
MOSHER	RANCHUR	J
MOSHER	ARTHUR	C
MURPHY	GARY	E
MURPHY	GARY	E
MURPHY	MABEL	E
MYLES	BRUCE	A
57 INC	MICHAEL	E
NELSON	MICHAEL	E
NELSON	HARRY	V
NELSON	HARRY	H
NICHOLS	JAMES	A
NISBET	JAMES	M
NOEL	BETH	D
NOEL	ROY	J
OBRIEN	MARY	J
OBRIEN	PATRICK	M
OLSON	FAYE	P
ONEILL	GENE	B
ONEILL	HOWARD	A
PALMER	WILEY	L
PAUL	COLLEEN	E
PAUL	PHILLIP	E
PECK	KATHBERT	A
POTTER	FRANK	A
POTTER	JOELLEN	A
POWER	PATRICK	A
QUIRK	JAMES	J
RAMBO	PAT	S
REEHL	CHARLENE	S
REEHL	FREDRICK	B
REEHL	FREDRICK	B
REHEEL	JOHN	F
RITTTEL	CLARENCE	J
ROME	CONRAD	J
RUOME	ARTHUR	K
RUGWELL	DALE	D
RUGWELL	ROBERT	J
RUGWELL	RUTH	K
RUGWELL	GARROLL	L
SALMENS	LINDA	P
SCHOEDEL	KAREN	L
SCHOEDEL	TIMOTHY	A
SECHENA	MICHAEL	A
SECHENA	ARLEN	M
SEVERTSON	JOHN	A
SHOQUIST	JOHN	M
SHOQUIST	SHIRLEY	A
SHOQUIST	SHIRLEY	R

NAME VARIATION CHECK ON NEW APP 8 SB76 OWNERS - BASIN 41C

2701 PROSPECT  
BOX 285  
BOX 285  
BOX 385

6111 JACKSON ST  
7110 10TH AVE SW  
6111 N JACKSON ST  
11401 11TH AVE S  
1901 9TH AVE  
208 SMELTER AVE

2120 5TH AVE N  
2120 5TH AVE N  
3433 8TH AVE N

2511 GENTRY LANE  
2422 WALNUT ST  
5504 4TH AVE SO  
5300 38TH ST N  
3300 1ST AVE SW  
22020 1ST AVE SW  
1201 RIVERVIEW S  
12012 13TH AVE E  
RT 1 SOUTH NO EAST  
708 7TH ST N  
708 7TH ST N  
708 7TH ST N  
BLACK TAIL RANCH  
3411 7TH AVE S  
3341 15TH AVE S  
1131 15TH ST SOUTH  
1131 15TH ST SOUTH  
1131 15TH ST SOUTH  
PO BOX 15TH AVE S  
PO BOX 608  
STAR RT  
STAR RT  
1301 2ND WEST HILL DRIVE  
1301 2ND WEST HILL DRIVE  
1309 RIVERVIEW DR W  
3433 8TH AVE NORTH  
3433 8TH AVE NORTH

[illegible]

54

[illegible]





BASIN 41U

**WATER COURT ORDERS  
AND CORRESPONDENCE  
PRELIMINARY DECREE**



**MONTANA WATER COURTS**

**STATE OF MONTANA**

**WATER JUDGES:**

Upper Missouri River Basin  
Chief Judge W. W. Lessley  
P.O. Box 879  
Bozeman, MT 59715

Lower Missouri River Basin  
Judge Bernard W. Thomas  
P.O. Box 938  
Chinook, MT 59523

Clark Fork River Basin  
Judge Robert M. Holter  
Lincoln County Courthouse  
Libby, MT 59923

Yellowstone River Basin  
Judge Roy C. Rodeghiero  
P.O. Box 448  
Roundup, MT 59072

April 17, 1984

Jim Kindle  
Records Section  
Department of Natural Resources  
32 South Ewing  
Helena, MT 59620

Re: Dearborn River Basin

Dear Jim:

Enclosed is a copy of the Order designat-  
ing the Department to mail the Notice of  
Availability on this Basin.

If you have any questions, please give  
me a call. Judge Lessley will be handling  
this Basin himself.

Thank you.

Sincerely,

*Chris*

Chris Jensen  
Clerk

caj  
encl.

RECEIVED

APR 19 1984

MONT. DEPT. of NATURAL  
RESOURCES & CONSERVATION

IN THE WATER COURTS OF THE STATE OF MONTANA

UPPER MISSOURI DIVISION

DEARBORN RIVER BASIN

\* \* \* \* \*

IN THE MATTER OF THE ADJUDICATION )  
OF THE EXISTING RIGHTS TO THE USE )  
OF ALL THE WATER, BOTH SURFACE AND )  
UNDERGROUND, WITHIN THE DEARBORN )  
RIVER DRAINAGE AREA, INCLUDING ALL )  
TRIBUTARIES OF THE DEARBORN RIVER )  
IN CASCADE AND LEWIS AND CLARK )  
COUNTIES, MONTANA. )

O R D E R

DESIGNATING THE DNRC TO MAIL NOTICE OF  
AVAILABILITY OF THE TEMPORARY PRELIMINARY DECREE

This Order complies with the requirements of 85-2-232 MCA  
1978.

ORDERED that the Department of Natural Resources and  
Conservation send by mail to each person and their successor in  
interest, if known, who has filed a claim of existing right in  
the Dearborn River Basin (Basin 41U), a copy of the Notice of  
Availability of the Temporary Preliminary Decree on that Basin  
and an abstract of the disposition of such person's claim of  
existing right.

ORDERED specifically that the Notice of Availability be  
mailed to: (1) all parties in the Dearborn River Basin issued  
permits for water use in that Basin pursuant to 85-2-301 MCA  
1978 or their successor in interest, if known; (2) all parties  
who have applied for permits for use of water in the Dearborn  
River Basin pursuant to 85-2-301 MCA 1978; (3) all parties who  
have been granted a reservation in the Dearborn River Basin  
pursuant to 85-2-316 MCA 1978; (4) all parties in the Dearborn

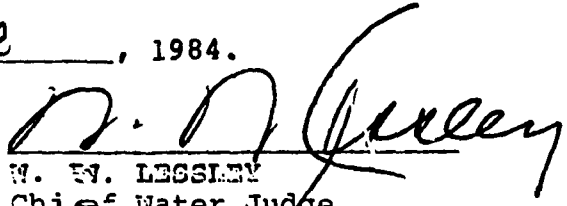
River Basin who have received certificates of water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; (5) all federal land management agencies in the Upper Missouri Water Division; (6) all neighboring states of the Upper Missouri Water Division; (7) all Indian tribes of the Upper Missouri Water Division; (8) the County Clerk of Court and Clerk and Recorder of Cascade County and Lewis and Clark County, Montana; (9) any other persons who have requested service of notice from the Water Judge.

ORDERED that the Montana State Water Courts publish the Notice of Availability in newspapers of general circulation in the Dearborn River Basin, including the Great Falls Tribune and the Helena Independent Record; including any advertisement which may bring the Notice of Availability to the attention of the public.

ORDERED that the Department shall make a general certificate of mailing certifying that a copy of notice has been placed in the United States Mail, postage prepaid and addressed to each party required by this Order to be served notice of the Temporary Preliminary Decree.

FINALLY IT IS ORDERED that the original certificate of mailing be filed with the Montana State Water Courts.

DATED this 17 day of April, 1984.

  
W. W. LESSELY  
Chief Water Judge  
P.O. Box 679  
Bozeman, MT 59715



**MONTANA WATER COURTS**

**STATE OF MONTANA**

**WATER JUDGES:**

**April 30, 1984**

**Upper Missouri River Basin**  
Chief Judge W. W. Lessley  
P.O. Box 878  
Bozeman, MT 59715

**Lower Missouri River Basin**  
Judge Bernard W. Thomas  
P.O. Box 938  
Chinook, MT 59523

**Clark Fork River Basin**  
Judge Robert M. Holter  
Lincoln County Courthouse  
Libby, MT 59923

**Yellowstone River Basin**  
Judge Roy C. Rodeghiero  
P.O. Box 448  
Roundup, MT 59072

**RECEIVED**

**MAY 02 1984**

**MONTANA DEPT. OF NATURAL  
RESOURCES & CONSERVATION**

**Jim Kindle  
Records Section  
DNRC Water Rights Bureau  
32 South Ewing  
Helena, MT 59620**

**Re: Dearborn River Basin 41U**

**Dear Jim;**

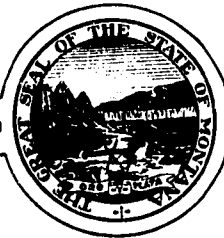
The review copy of the Dearborn River Basin 41U, which the Water Court received, has been thoroughly reviewed and is now ready for printing.

Bob has told me that you would like to plan on issuing the decree May 9th or 10th. We think this is fine.

**Best Personal Wishes,**

**W. W. Lessley,  
Chief Water Judge**

**WWL/nf**



**MONTANA WATER COURTS**  
**STATE OF MONTANA**

**WATER JUDGES:**

Upper Missouri River Basin  
Chief Judge W. W. Lessley  
P.O. Box 879  
Bozeman, MT 59715

Lower Missouri River Basin  
Judge Bernard W. Thomas  
P.O. Box 938  
Chinook, MT 59523

Clark Fork River Basin  
Judge Robert M. Holter  
Lincoln County Courthouse  
Libby, MT 59923

Yellowstone River Basin  
Judge Roy C. Rodeghiero  
P.O. Box 448  
Roundup, MT 59072

**M E M O R A N D U M**

**RECEIVED**

MAY 21 1984

MONTANA DEPT. OF NATURAL  
RESOURCES & CONSERVATION

**TO:** Jim Kindle  
**FROM:** Tim Sullivan  
**DATE:** May 18, 1984  
**RE:** Claims W-10969, W-117742 and W-117743

The above-listed water right claims were brought to the attention of Judge Lessley by the Havre Water Rights Bureau Field Office. These claims were mistakenly placed in the Sun River Basin (41K) but they belong in the Dearborn River Basin (41U).

Please correct the abstracts for these claims so that they indicate the claims are in Basin 41U. We will send the corrected abstracts to the owners with a Notice of Availability of the Dearborn River Basin Temporary Preliminary Decree, and a letter of explanation from the Water Courts.

Thank you.

*Timothy J. Sullivan*  
Timothy J. Sullivan  
Water Master

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
WATER RESOURCES DIVISION

414



TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

(406) 449-2872 ADMINISTRATOR  
(406) 449-2864 ENGINEERING BUREAU  
(406) 449-3760 WATER DEVELOPMENT BUREAU  
(406) 449-2872 WATER MANAGEMENT BUREAU  
(406) 449-3962 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

June 12, 1984

Honorable Judge W. W. Lessley  
Montana State Water Court  
PO Box 879  
Bozeman, MT 59715

RE: Updates to Dearborn River Temporary  
Preliminary Decree, Basin 41U

Dear Judge Lessley:

Tim Sullivan asked that the enclosed updates be sent to your attention. These updates are for claims that were missed when the Dearborn River Temporary Preliminary Decree was issued.

The updates are in two formats. One is the owner abstract that is sent to individual water right owners. The other is a decree abstract, in the same format as the decree is issued. I believe Tim has spoken to you about updating the decrees at the courthouses with this new information.

If you have any questions regarding this, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Jim Kindle".

Jim Kindle  
Records Supervisor  
Water Rights Bureau

Enclosures

JK:jg

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

WATER RIGHT NUMBER 41U-1-010262-00

OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

EXPIRATION DATE: AUG 15, 1961

EXTRA RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR  
STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL  
UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY  
AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK 313 SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER  
DELINEATION OF THIS RIGHT.



DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
WATER RESOURCES DIVISION

414



TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

(406) 449-2872 ADMINISTRATOR  
(406) 449-2864 ENGINEERING BUREAU  
(406) 449-3760 WATER DEVELOPMENT BUREAU  
(406) 449-2872 WATER MANAGEMENT BUREAU  
(406) 449-3962 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

June 12, 1984

Honorable Judge W. W. Lessley  
Montana State Water Court  
PO Box 879  
Bozeman, MT 59715

RE: Updates to Dearborn River Temporary  
Preliminary Decree, Basin 41U

Dear Judge Lessley:

Tim Sullivan asked that the enclosed updates be sent to your attention. These updates are for claims that were missed when the Dearborn River Temporary Preliminary Decree was issued.

The updates are in two formats. One is the owner abstract that is sent to individual water right owners. The other is a decree abstract, in the same format as the decree is issued. I believe Tim has spoken to you about updating the decrees at the courthouses with this new information.

If you have any questions regarding this, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Jim Kindle".

Jim Kindle  
Records Supervisor  
Water Rights Bureau

Enclosures

JK:jg

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER OWNER: MYLES S7 INC  
611 N JACKSON ST  
HELENA MT 59601

WATER RIGHT NUMBER 41U-4-117742-20

DEWEES: MYLES S7 INC  
611 N JACKSON ST  
HELENA MT 59601

NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR  
STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL  
UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY  
AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER  
DELINEATION OF THIS RIGHT.

**BASIN** 414

**CERTIFICATE  
OF MAILING**



# MONTANA WATER COURTS

## STATE OF MONTANA

RECEIVED

JUN 19 1984

MONT. DEPT. OF NATURAL  
RESOURCES & CONSERVATION

### MEMORANDUM

#### WATER JUDGES:

Upper Missouri River Basin  
Chief Judge W. W. Lessley  
P.O. Box 879  
Bozeman, MT 59715

Lower Missouri River Basin  
Judge Bernard W. Thomas  
P.O. Box 938  
Chinook, MT 59523

Clark Fork River Basin  
Judge Robert M. Holter  
Lincoln County Courthouse  
Libby, MT 59923

Yellowstone River Basin  
Judge Roy C. Rodeghiero  
P.O. Box 448  
Roundup, MT 59072

TO:

Jim Kindle, Records Section  
DNRC Water Rights Bureau

FROM:

T. Sullivan

DATE:

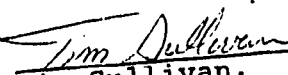
June 18, 1984

RE:

Claims 41K-W-096374 and 41K-W-183445

The above claims were mistakenly assigned to the Sun River Basin (41K0 but they belong in the Dearborn River Basin (41U). Please correct the abstracts to show they belong in the Dearborn Basin (41U).

We will need corrected copies to send to the owners and to be placed on record with the Temporary Preliminary Decrees already issued. Please send the corrected copies to the Water Courts.

  
Tim Sullivan,  
Water Master

Enclosures (Abstracts)

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U -W-026374-00

OWNERS: MCGILL IS DONALD  
4401 RIVER DR N  
GREAT FALLS MT 59401

PRIORITY DATE: DEC 31, 1891

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: UNNAMED TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 27 19N 05W LEWIS & CLARK DAM

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NESWSW 27 19N 05W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

06 22/84

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

ABSTRACT OF CLAIM FOR EXISTING WATER RIGHTS

CLAIM RECEIVED: 06/28/82 FEE PAID: \$0

CLAIM ID 411 -M-096374-00 PRIORITY DATE: 00:00 12/31/1891 TYPE OF RIGHT: USE MAX ACRE: 0.00

TYPE CODE: S MAX RATE: 0.00 (STD)

OWNER: (M) 1 MCGILLIS DONALD

4401 RIVER RD N GREAT FALLS MT 59401

LOT BLK QTR SEC REF TWP RGE CO  
NESMCM 27 19N 05W LC MEANS DIVFC-DM

SOURCE: DV 01 MT HOGAN CREEK

USF: ST 01 5,500.0 AN PERIOD OF USE 1899-1899-9997 (OK) LOT BLK QTR SEC SEC TWP RGE CO  
NESMSA 27 19N 05W LC

PARCELS: 003 0.00

TOTAL 0.00

REFERENCE STANDARDS & FEASIBILITY CHECK - MAX RATE: 0.25 C MAX VOLUME: 270.00 AF/YEAR DEF. OF USE: 189999 99997

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

12/13/83

ABSTRACT OF CLAIM FOR EXISTING WATER RIGHTS

CLAIM ID <sup>4114</sup> ~~4114~~ -W-096374-00 PRIORITY DATE: 00:00 <sup>12/31</sup> ~~06/06/1891~~ TYPE OF RIGHT: USE CLAIM RECEIVED: 04/28/82 FEE PAID: 30

TYPE CODE: S MAX RATE: 0.25 C ( 10.00 MI) MAX VOLUME: 270.00 AF/YEAR MAX ACRES: 0.00

OWNERS: (M) ~~1 MCGILLIS~~ PATRICIA ~~M~~ (M) ~~1 MCGILLIS~~ DONALD  
4401 RIVER DR N 4401 RIVER DR N

GREAT FALLS MT 59401 GREAT FALLS MT 59401

LOT BLK QTR SEC SEC TWP RGE CO

SOURCES: DV 01 UT HOGAN CREEK NESWS/27 19N 05W LC MEANS DIVRS ~~15~~ DM

USE: ST 01 9.500.0 AU PERIOD OF USE 199999999997

ACRES VER. ACRES WRS 19 19 LOT BLK QTR SEC SEC TWP RGE CO

PARCELS: 001 0.00 NESWS/27 19N 05W LC

TOTAL 0.00

REMARKS

21865 + Affidavit

ADDENDUMS: YES NO ( DVS VRSV POU RMK (OWNER) COMMENTS  
SUPPLEMENTAL IF REF. RIGHT, MAX COMBINED VOLUME FOR ALL RIGHTS . . . . . AF MAX COMBINED ACRES FOR ALL RIGHTS . . . . .

RIGHTS: IF SUPPLEMENTAL RIGHT, PURPOSE ID . . . . . AND CLAIM ID . . . . . OF REF. RIGHT

\*\*\*\*\* FIELD VERIFICATION FORM \*\*\*\*\*

COMPARISON STATISTICS: FLOW RATE 0.25 C ( 0.012 GPM/AU)

VOLUME 270.00 ( 0.028 AF/AU)

VOLUME BASED ON AU MONTHS USED AND S/G CODE 324.520 AF/YR - OVER CLAIMED VOLUME

BASIN OK: YES NO COMMENTS

SOURCE NAME OK: YES NO (FROM: USGS TOPO MAP Bennett's Corvairs, WR SURVEY) COMMENTS

TYPE CD (S/G) OK: YES NO COMMENTS

POD OK: DV 01 YES NO APPEARS CORRECT UNVERIFIED (FROM: CLAIMS MAP GRID ON FLNG) COMMENTS 1895 + Claimant's affidavit

MEANS DIVRS OK: YES NO APPEARS CORRECT UNVERIFIED COMMENTS Reservoir

PROOF OF USE: CLAIMED FLOW RATE OK: YES NO NONE GIVEN COMMENTS

CLAIMED PRTY DATE OK: YES NO COMMENTS None given in affidavit

FLOW RATE OK: YES NO APPLY STANDARD COMMENTS

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
ABSTRACT OF CLAIM FOR EXISTING WATER RIGHTS

12/13/83

CLAIM ID 41K -W-096374-00 (CONTINUED)

VOLUME OK:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> APPLY STANDARD	COMMENTS	
PRIORITY DATE OK:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> APPLIED LAST MONTH OF YR	<input checked="" type="checkbox"/> APPLIED LAST DAY OF MONTH	COMMENTS
TELEPHONE CONTACT:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS
LETTER CONTACT:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS
OWNERSHIP:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS
INTERVIEW:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS
FIELD INVESTIGATION:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	APPROVED BY	DATE CHECKED	BY

GENERAL REMARKS:

INVESTIGATED BY *Page Jones* DATE 6.2.84  
REVIEWED BY \_\_\_\_\_ DATE 1/1/



TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U--W-183445-02

OWNERS: MCGILLIS DONALD  
4401 RIVER DR N  
GREAT FALLS MT 59401

PRIORITY DATE: DEC 31, 1891

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: UNNAMED TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

29 19N 05W LEWIS & CLARK DIRECT FROM SRC

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

29 19N 05W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

06 22/84

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

ABSTRACT OF CLAIM FOR EXISTING WATER RIGHTS

CLAIM RECEIVED: 06/20/82 FEE AID: \$0

MAX ACRE: 0.00

CLAIM ID 411 -4-183445-00 PRIORITY DATE: 00:00 12/31/1891 TYPE OF RIGHT: USE 0.00 AF/YEAR (STD)

TYPE CODE: S MAX RATE: 1.00 (STD)

MAX VOLUME:

OWNERS: (M) I MCGILLIS DONALD

4401 RIVER DR N

MT 59401

GREAT FALLS

LOT BLK QTR SEC SEC TWP RGE CO  
29 19N 05W LC MEANS DIVERG-LS

SOURCES: DV 01 UT HOGAN CREEK

USE: ST 01 1,000.0 AU PERIOD OF USE 19999999997 (OK)  
ACRES LCT BLK QTR SEC SEC TWP RGE CO

29 19N 05W LC

PARCELS: 001 0.00  
TOTAL 0.00

GEORGE STANDARDS & FEASIBILITY CHECK - MAX RATE: 0.03 C MAX VOLUME: 27.00 AF/YEAR PER. OF USE: 199999 99997

12/13/83

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

ABSTRACT OF CLAIM FOR EXISTING WATER RIGHTS

CLAIM ID ~~414~~ <sup>414</sup> -W-183445-00 PRIORITY DATE: 00:00 12/13/1891 TYPE OF RIGHT: USE CLAIM RECEIVED: 04/20/62 FEE PAID: \$0

TYPE CODE: S MAX RATE: 0.03 C ( 1.20 MI) MAX VOLUME: 27.00 AF/YEAR MAX ACRES: 0.00

OWNERS: (M) 1 MCGILLIS 4401 RIVER DR N DONALD (M) 1 MCGILLIS 4401 RIVER DR N PATRICIA H

GREAT FALLS MT 59401 LOT BLK QTR SEC SEC TWP RGE CO MEANS DIVRS-LS

29 19N 05W LC

SOURCES: DV 01 UT ~~SAN RIVER~~ <sup>HOGAN CREEK</sup> PERIOD OF USE 199999999997

USE: ST 01 1.000.0 AU ACRES VER. ACRES WRS 19 19 19 19N 05W LC

PARCELS: 001 0.00 TOTAL 0.00

REMARKS

ADDENDUMS: YES NO ( DIVRS RSRV POU RMRK OWNER) COMMENTS AF MAX COMBINED ACRES FOR ALL RIGHTS  
SUPPLEMENTAL IF REF. RIGHT, MAX COMBINED VOLUME FOR ALL RIGHTS AND CLAIM ID OF REF. RIGHT  
RIGHTS: IF SUPPLEMENTAL RIGHT, PURPOSE ID AND CLAIM ID FIELD VERIFICATION FORM

\*\*\*\*\*  
COMPARISON STATISTICS: FLOW RATE 0.03 C ( 0.013 GPM/AU)  
VOLUME 27.00 ( 0.027 AF/AU) 34.160 AF/YR - OVER CLAIMED VOLUME

VOLUME BASED ON AU MONTHS USED AND S/G CODE

BASIN OK: YES NO COMMENTS

SOURCE NAME OK: YES NO (FROM: USGS TOPO MAP BRONIE PLATE 4.6 SURVEY) COMMENTS

TYPE CD (S/G) OK: YES NO COMMENTS

POD OK: DV 01 YES NO APPEARS CORRECT UNVERIFIED (FROM: CLAIMS MAP GRID ON FLNG) COMMENTS

MEANS DIVRS OK: YES NO APPEARS CORRECT UNVERIFIED COMMENTS

PROOF OF USE: CLAIMED FLOW RATE OK: YES NO NONE GIVEN COMMENTS

CLAIMED PRY DATE OK: YES NO COMMENTS

FLOW RATE OK: YES NO APPLY STANDARD COMMENTS

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
ABSTRACT OF CLAIM FOR EXISTING WATER RIGHTS

12/13/83

CLAIM ID 41K -W-183445-00 (CONTINUED)

VOLUME OK:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	APPLY STANDARD	COMMENTS	APPLIED LAST MONTH OF YR	APPLIED LAST DAY OF MONTH	COMMENTS
PRIORITY DATE OK:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO					
TELEPHONE CONTACT:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS		
LETTER CONTACT:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS		
OWNERSHIP:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS		
INTERVIEW:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	DATE COMPLETED	BY	COMMENTS		
FIELD INVESTIGATION:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	APPROVED BY	DATE CHECKED	BY	COMMENTS	
GENERAL REMARKS:							

Original Claim is 41K-W-046871-02

INVESTIGATED BY Eric Jones DATE 6/2/84  
REVIEWED BY \_\_\_\_\_ DATE 1/1/

2. Transferred owners. Based on research, all apparent successors in interest for water rights concerning return mail have been sent the Notice of Entry of Preliminary Decree and Notice of Availability of the Preliminary Decree and Water Right Transfer Certificate forms.

B. For post July 1, 1973 water rights: (1) all parties in the Dearborn River issued permits for water use in that Basin pursuant to 85-2-301 MCA or their successor in interest; (2) all parties who have applied for permits for the use of water in the Dearborn River Basin pursuant to 85-2-301 MCA 1978; (3) all parties who have been granted a reservation in the Dearborn River Basin pursuant to 85-2-316 MCA 1978; (4) all parties in the Dearborn River Basin who have received certificates of water rights pursuant to 85-2-306 MCA 1978 for wells under 100 gallons per minute; the following has been sent;

1. Owner address changes only. Based on research, all parties have been sent the Notice of Entry of Preliminary Decree and Notice of Availability of the Preliminary Decree.

2. Transferred owners. Based on research, all apparent successor in interest for water rights concerning return mail have been sent the Notice of Entry of Preliminary Decree and Notice of Availability of the Preliminary Decree and Water Right Transfer Certificate forms.

This mailing and distribution was made under my direction and control from 5-10-84 to 9-27-84.

Dated this 1<sup>st</sup> day of OCTOBER, 1984.

James E. Kindle

JAMES E. KINDLE, Supervisor  
Records Section, Water Rights Bureau  
Water Resources Division  
Dept. of Natural Resources and  
Conservation  
State of Montana

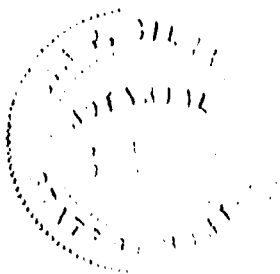
attachments

- 1.) Original Affidavit of Service
- 2.) Copies of return mail envelopes

State of Montana )  
: ss.  
County of Lewis & Clark)

On this 1<sup>st</sup> day of OCTOBER, 1984, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.



John P. Gilman

Notary Public for the State of  
Montana

Residing at Helena

My commission expires 1-21-1987

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis and Clark )

Jan Gerke, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on September 19, 1984, he/she deposited in the United States mail, regular mail, Notice of Entry of Preliminary Decree and Notice of Availability for the Neeshorn Decree, and abstract of disposition of claim of water right to the following persons or agencies:

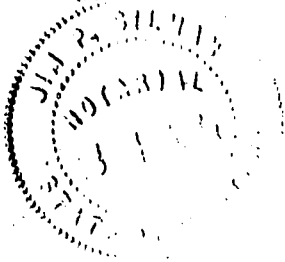
Arthur W. & Ruth J. Rugwell  
1313 15th St. S  
Great Falls, MT 59405

Department of Natural Resources and Conservation by Jan Gerke

STATE OF MONTANA )  
 ) ss.  
County of Lewis and Clark )

On this 1st day of October, 1984, before me, a Notary Public in and for said state, personally appeared Jan Gerke, known to me to be the Records Clerk of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



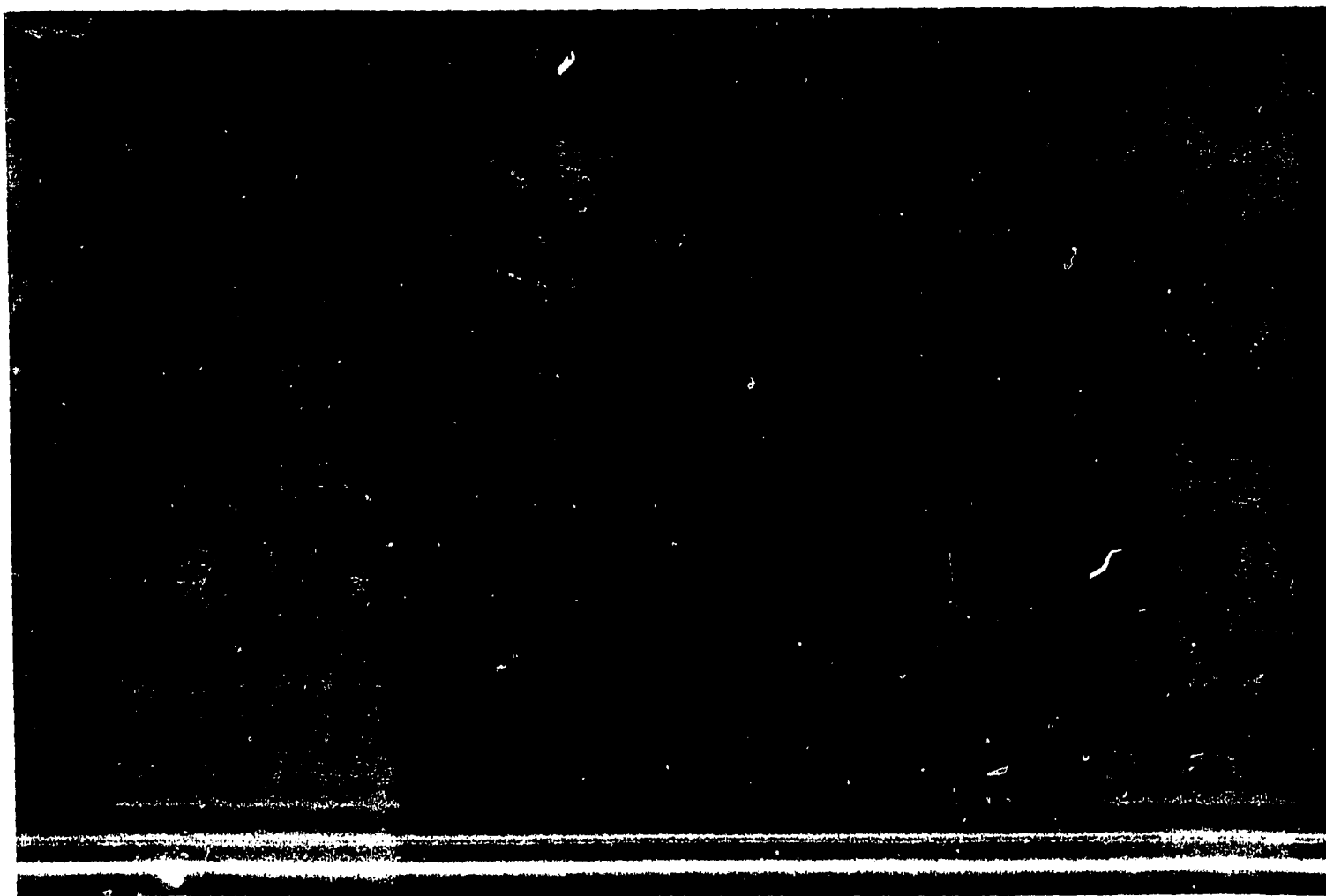
Jim P. Gilman  
Notary Public for the State of Montana  
Residing at Helena, Montana  
My Commission expires 1-21-1987

**Memorandum**

**DNRC**

To: Jim Kindle From: D. Richard Date: 6/12/84  
Re: Return Mail - 41U

Please correct the address on this claim to 1313 15<sup>th</sup> Street S. and mail the Notices of Availability for 41U etc. I verified this correction with the claim Form (see item 2) and with the County Assessor's Office. Thank you.







DEPARTMENT OF NATURAL  
RESOURCES & CONSERVATION

STATE OF MONTANA

NATURAL RESOURCES BUILDING  
32 SOUTH EIVING  
HELENA, MONTANA 59620

RECEIVED

MAY 15 1984

MONT. DEPT. of NATURAL  
RESOURCES & CONSERVATION

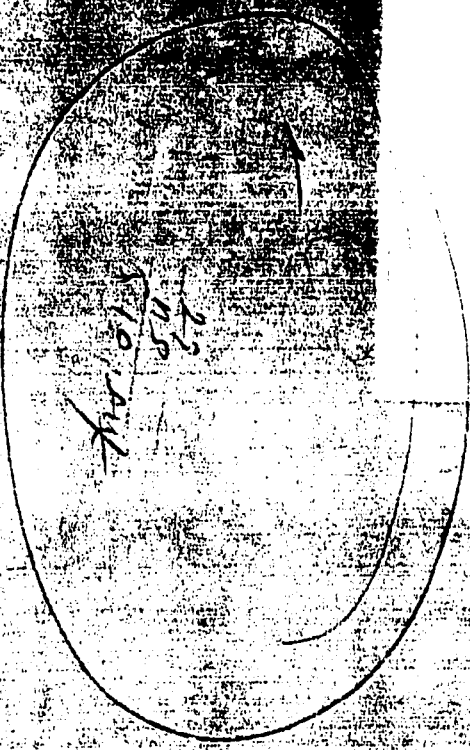
RUGWELL  
1313 15TH AVE S  
GREAT FALLS

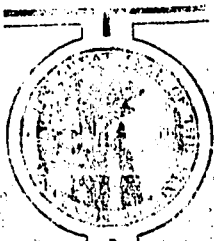
ARTHUR

MT

59405

W207754-4114





DEPARTMENT OF NATURAL  
RESOURCES & CONSERVATION

— STATE OF MONTANA —

NATURAL RESOURCES BUILDING  
32 SOUTH EWING  
HELENA, MONTANA 59620

RUGWELL  
1313 15TH AVE S  
GREAT FALLS

RUTH

J

MT

59405

W207754-4114

25  
10/21

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis and Clark )

Jan Gerke, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on September 19, 1984, he/she deposited in the United States mail, regular mail, Notice of Entry of Preliminary Decree and Notice of Availability for the Debarment Decree, and abstract of disposition of claim of water right to the following persons or agencies:

Arlen Semen  
c/o Gloradon S. Larkin  
105 Riverview Dr. W  
Great Falls, MT 59404

Department of Natural Resources and  
Conservation by Jan Gerke

STATE OF MONTANA )  
 ) ss.  
County of Lewis and Clark )

On this 1st day of October, 1984, before me, a Notary Public in and for said state, personally appeared Jan Gerke, known to me to be the Records Clerk of the Department executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



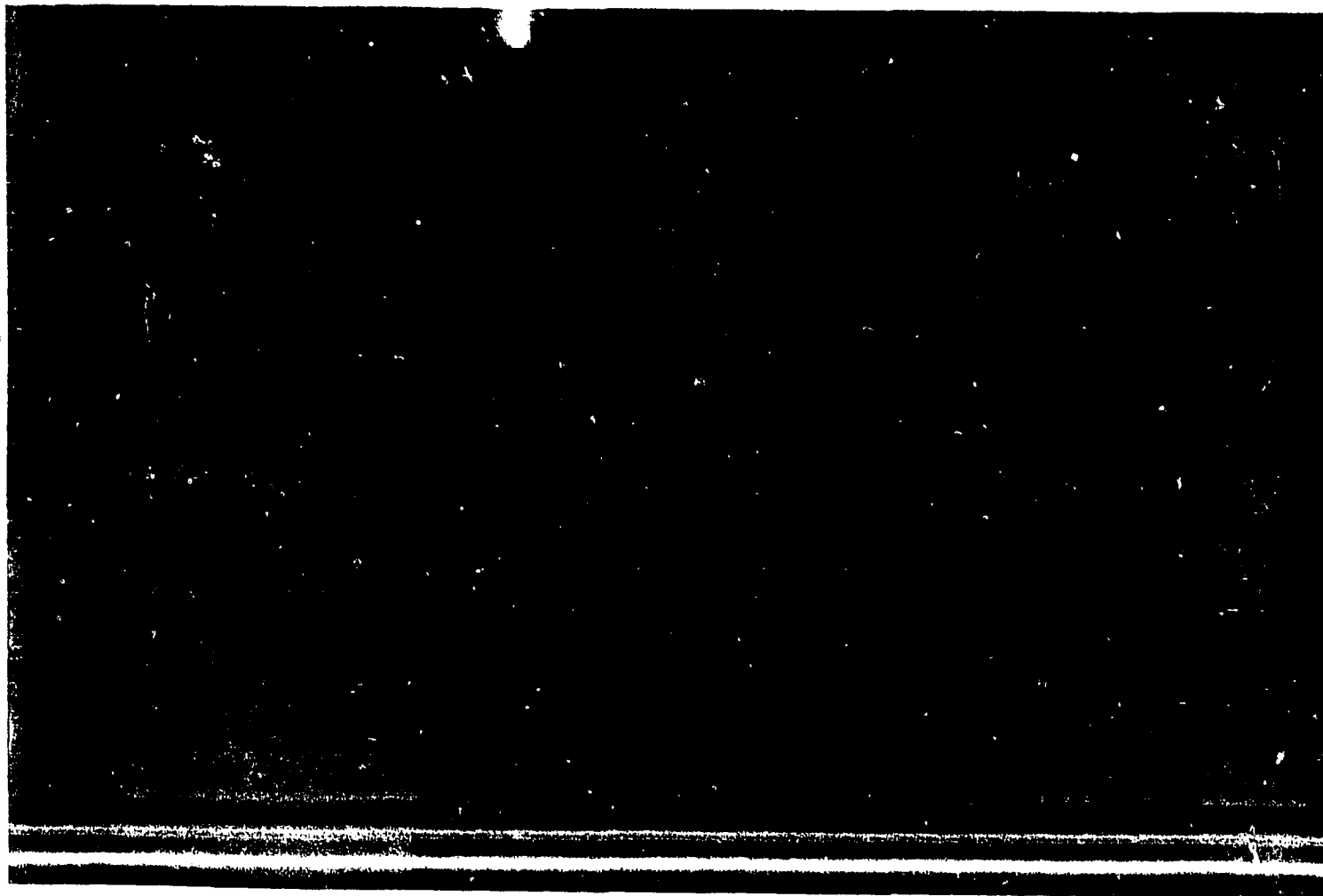
Jim P. Gilman  
Notary Public for the State of  
Montana  
Residing at Helena, Montana  
My Commission expires 1-21-1987

**Memorandum**

**DNRC**

To: Jim Kindle From: D. Richard Date: 6/13/84  
RE: Return mail For HIU

I checked the Assessor for this one they don't have an address for him. Larkin's phone has been disconnected so I can't call and get an address. Try sending this one  
c/o Gloradon S. Larkin *co-owner*  
105 Riverview Dr. W.  
Great Falls, MT 59404



STATE OF MONTANA  
LEGISLATIVE BUILDING

SEMAN  
105 RIVERVIEW DR W  
GREAT FALLS

MT

59404

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD





DEPARTMENT OF NATURAL  
RESOURCES & CONSERVATION

STATE OF MONTANA

**NATURAL RESOURCES BUILDING**

## 32 SOUTH EWING

**HELENA, MONTANA 59620**

MONT. DEPT. OF NATURAL  
RESOURCES & CONSERVATION

*John & Anne*

12.5  
 Chest 40 1/2  
 1771

145

Direct File 10/13/2001

**PRESONTIN  
FIRST CLASS**



AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

Kathleen Richard, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on June 14, 1984, he/she deposited in the United States mail, regular mail, Notice of Preliminary Decree/Notice of Availability of Preliminary Decree for the Dearborn River Basin Decree, a Water Right Transfer Certificate Form and a letter of inquiry concerning water right ownership addressed to the following persons or agencies:

41U-C026270-00

SHERMAN D. AND JOYCE M. MILLS  
1603 2nd STREET SOUTH  
GREAT FALLS, MT 59405

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

On this 14th day of June, 1984, before me, a Notary Public in and for said state, personally appeared Kathleen Richard, known to me to be the Water Right Specialist of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



T. J. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires ~~as~~ PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1988

June 14, 1984

Assessors Office  
Pin #17389

Contract for deed, new  
owner Sherman D. & Joyce M. Mills

Their address:

Sherman D. Mills  
Joyce M. Mills  
1603 2ND St. So.  
Great Falls, MT 59405

Kathleen Richard  
Water Rights Specialist





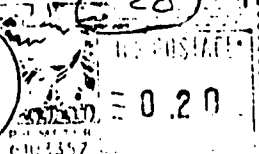
DEPARTMENT OF NATURAL  
RESOURCES AND CONSERVATION  
WATER RIGHTS BUREAU

— STATE OF MONTANA —

32 SOUTH EWING  
HELENA, MONTANA 59620

MONTANA  
**Pride**  
VOTE

REGISTERED  
FIRST CLASS



RECEIVED

MAY 18 1984

DEPT. OF NATURAL  
RESOURCES & CONSERVATION

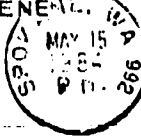
WRB-NA  
K

DOUGLAS

1. LGPER 1626 HASTINGS AVE
2. COEUR D'ALENE
3. [unclear]

ID 83814

FORWARD  
ORDINANCE  
RETURN



AFFIDAVIT OF SERVICE

STATE OF MONTANA           )  
                                  ) ss.  
County of Lewis & Clark )

Kathleen Richard, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on June 13, 1984, 1984, he/she deposited in the United States mail, Regular mail, Notice of Preliminary Decree/Notice of Availability of Preliminary Decree for the Dearborn River Basin Decree, a Water Right Transfer Certificate Form and a letter of inquiry concerning water right ownership addressed to the following persons or agencies:

41U-C003862-00

MR. CHESTER C. CLELAND  
104 SUNDANCE DRIVE  
LEWISTOWN, MT 59457

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA           )  
                                  ) ss.  
County of Lewis & Clark )

On this 13th day of June, 1984, before me, a Notary Public in and for said state, personally appeared Kathleen Richard, known to me to be the Water Right Specialist of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

T. L. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1986

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

Kathleen Richard, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on June 13, 1984, 1984, he/she deposited in the United States mail, Regular mail, Notice of Preliminary Decree/Notice of Availability of Preliminary Decree for the Dearborn River Basin Decree, a Water Right Transfer Certificate Form and a letter of inquiry concerning water right ownership addressed to the following persons or agencies:

41U-C003862-00

MR. WILLIAM S. KORAN  
10815 ALGONQUIN ROAD  
EDMONDS, WA 98020

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

On this 13th day of June, 1984, before me, a Notary Public in and for said state, personally appeared Kathleen Richard, known to me to be the Water Right Specialist of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

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T. L. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1985

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

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41U-C003862-00

L.D.S., INC.  
315 GARDEN OF THE GODS ROAD  
COLORADO SPRINGS, CO 80907

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

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Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1985

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

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41U-C003862-00

MR. DALE S. LESLIE  
BOX 959  
HELENA, MT 59624

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

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T. L. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1986

AFFIDAVIT OF SERVICE

STATE OF MONTANA           )  
                                  ) ss.  
County of Lewis & Clark )

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41U-C003862-00

ARTHUR E. MURPHY  
1100 13th AVENUE SOUTH  
GREAT FALLS, MT 59405

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA           )  
                                  ) ss.  
County of Lewis & Clark )

On this 13th day of June, 1984, before me, a Notary Public in and for said state, personally appeared Kathleen Richard, known to me to be the Water Right Specialist of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

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T. J. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1986

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

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41U-C003862-00

MR. THOMAS J. ROHRICH  
915 3rd AVENUE S.W.  
GREAT FALLS, MT 59401

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

On this 13th day of June, 1984, before me, a Notary Public in and for said state, personally appeared Kathleen Richard, known to me to be the Water Right Specialist of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

T. J. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana.  
My Commission Expires July 16, 1985

AFFIDAVIT OF SERVICE

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

Kathleen Richard, an employee of the Montana Department of Natural Resources and Conservation, being duly sworn on oath, deposes and says that on June 13, 1984, 1984, he/she deposited in the United States mail, Regular mail, Notice of Preliminary Decree/Notice of Availability of Preliminary Decree for the Dearborn River Basin Decree, a Water Right Transfer Certificate Form and a letter of inquiry concerning water right ownership addressed to the following persons or agencies:

41U-C003862-00

MS. PATRICIA SPONHEIM  
1401 2B STREET, NO. 16  
GREAT FALLS, MT 59404

DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION

by Kathleen Richard

STATE OF MONTANA )  
 ) ss.  
County of Lewis & Clark )

On this 13th day of June, 1984, before me, a Notary Public in and for said state, personally appeared Kathleen Richard, known to me to be the Water Right Specialist of the Department that executed this instrument or the persons who executed the instrument on behalf of said Department, and acknowledged to me that such Department executed the same.

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T. J. Reynolds  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_

NOTARY PUBLIC for the State of Montana  
Residing at Helena, Montana  
My Commission Expires July 16, 1986



RETURN MAIL; C003862-00 41A

6/12/84

On this day I phoned the  
Cascade Co. Assessors Office  
and requested all the addresses  
of owners in the SW NW,  
Sec. 11, T16N, R03W, Cascade  
Co. The names and addresses  
are listed below.

Arthur E. Murphy  
1100 13th Ave. So.  
Great Falls, MT 59405

Chester C. Cleland  
104 Sundance Dr.  
Lewistown, MT

Dale S. Leslie  
Box 959  
Helena, MT

William S. Koran  
10815 Algonquin Rd.  
Edmonds, CA 98020

Thomas J. Rohrich  
915 3rd Ave. S.W.  
Great Falls, MT

---

Patricia Sponheim

1401 2B St.

No. 16

Great Falls, MT 59404

L. . S. Inc.

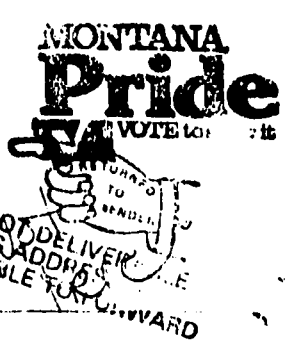
315 Garden of the Gods Rd.

Colorado Springs, CO 08907

Kathleen Richard



DEPARTMENT OF NATURAL  
RESOURCES AND CONSERVATION  
WATER RIGHTS BUREAU  
STATE OF MONTANA  
32 SOUTH EWING  
HELENA, MONTANA 59620



55413 J5810  
01035347



US POSTAGE  
0.17

NOT DELIVERED  
AS ADDRESS  
UNABLE TO FORWARD

PALMER  
2511 GENTRY LANE  
BILLINGS

WILEY

WRE-NA  
B

MT 59102

MONTANA DEPT. OF NATURAL  
RESOURCES & CONSERVATION

MAY 16 1984

RECEIVED

BASIN

414

**MISCELLANEOUS  
CORRESPONDENCE,  
WATER COURT**

June 12, 1984

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 449-2872 ADMINISTRATOR  
(406) 449-2864 ENGINEERING BUREAU  
(406) 449-3760 WATER DEVELOPMENT BUREAU  
(406) 449-2872 WATER MANAGEMENT BUREAU  
(406) 449-3962 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

June 12, 1984

Honorable Judge W. W. Lessley  
Montana State Water Court  
PO Box 879  
Bozeman, MT 59715

RE: Updates to Dearborn River Temporary  
Preliminary Decree, Basin 41U

Dear Judge Lessley:

Tim Sullivan asked that the enclosed updates be sent to your attention. These updates are for claims that were missed when the Dearborn River Temporary Preliminary Decree was issued.

The updates are in two formats. One is the owner abstract that is sent to individual water right owners. The other is a decree abstract, in the same format as the decree is issued. I believe Tim has spoken to you about updating the decrees at the courthouses with this new information.

If you have any questions regarding this, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Jim Kindle".

Jim Kindle  
Records Supervisor  
Water Rights Bureau

Enclosures

JK:jg

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

ELIGIBLE OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

WATER RIGHT NUMBER 41U-1-110262-02

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

EXPIRATION DATE: AUG 16, 1961

ELIGIBLE RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR  
STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL  
UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY  
AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER  
DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

ENR-OWNER: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

WATER RIGHT NUMBER 41U-4-117742-10

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

NELSON  
611 N JACKSON ST  
HELENA

MICHAEL

E

MT 59601

PRIORITY DATE: APR 1, 1904

ENR RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LGT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

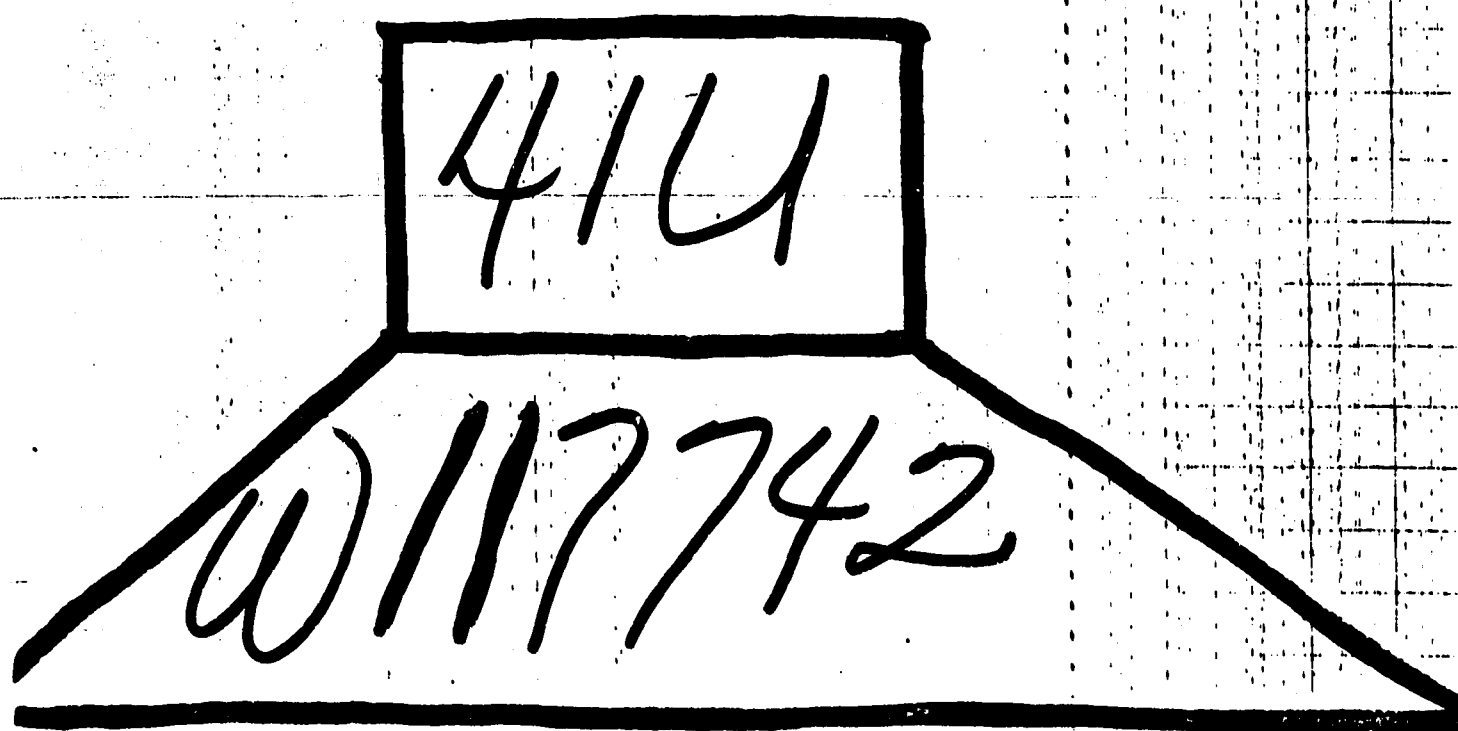
ACRES LGT BLK QTR SEC SEC TWP RGE COUNTY

001

NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

# BASIN CORRECTION



was 41K



TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN.  
BASIN 41U  
ABSTRACT OF WATER RIGHT

OWNER: NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

WATER RIGHT NUMBER 41U-2-117742-00

OWNER: MYLES ST INC  
611 N JACKSON ST  
HELENA MT 59601

NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

ELIGIBLE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR  
STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL  
UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY  
AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QIR SEC SEC TWP RGE COUNTY

001

NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER  
DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 410  
ABSTRACT OF WATER RIGHT

OWNER: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

WATER RIGHT NUMBER 410-1-117743-20

OWNER: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

NELSON  
611 N JACKSON ST  
HELENA

MICHAEL

E

MT 59601

PRIORITY DATE: APR 1, 1904

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q13 SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK Q13 SEC SEC TWP RGE COUNTY

001

SESWNE 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

OWNER: NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

WATER RIGHT NUMBER 41U-1-117743-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601

NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

ELIGIBILITY DATE: APR 1, 1904

ELIGIBLE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

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SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SESWNE 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U - 4-010262-02

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

PRIORITY DATE: AUG 16, 1961

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HOGAN CREEK

EMPOWERMENT: STOCK

PERIOD OF USE: JAN 1 TO DEC 31

EQUITY OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-7-117742-00

OWNERS: MYLES S7 INC  
611 N JACKSON ST MT 59601  
HELENA

NELSON MICHAEL E  
611 N JACKSON ST MT 59601  
HELENA

PRIORITY DATE: APR 1, 1904

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q19 SEC SEC TWP RGE COUNTY

NE3WSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK Q19 SEC SEC TWP RGE COUNTY

001

NE3WSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-1-117743-00

OWNERS: NYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601  
NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

ELIGIBILITY DATE: APR 1, 1904

FLUX RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

EQUINIS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SESWNE 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.



**MONTANA WATER COURTS**  
**STATE OF MONTANA**

**WATER JUDGES:**

Upper Missouri River Basin  
Chief Judge W. W. Lessley  
P.O. Box 879  
Bozeman, MT 59715

Lower Missouri River Basin  
Judge Bernard W. Thomas  
P.O. Box 938  
Chinook, MT 59623

Clark Fork River Basin  
Judge Robert M. Hunter  
Lincoln County Courthouse  
Libby, MT 59923

Yellowstone River Basin  
Judge Roy C. Rodeghiero  
P.O. Box 448  
Roundup, MT 59072

June 19, 1984

Jim Kindle  
Records Section  
Department of Natural Resources  
32 South Ewing  
Helena, MT 59620

Dear Jim:

I'm sending back to you four copies of the  
new abstracts you generated for us in the Dearborn.

I've taken the six I need. Thanks!

Sincerely,

  
Chris Jensen  
Clerk

caj  
encls.

**RECEIVED**  
JUN 20 1984  
MONT. DEPT. of NATURAL  
RESOURCES & CONSERVATION

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U - #110262-00

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

ENQUIRY DATE: AUG 16, 1961

EQU RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

WANTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

---ACRES---LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.



TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-1-117742-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601

NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

ELUV DATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN #10  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER #10 - 117743-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

NELSON  
611 N JACKSON ST  
HELENA

MICHAEL

E

MT 59601

PRIORITY DATE: APR 1, 1904

ELEV BASE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SESWNE 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U - W-919262-00

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

PRIORITY DATE: AUG 16, 1961

ELM RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR  
STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL  
UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY  
AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF MCGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK 91B SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCKS

ACRES LOT BLK 91B SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER  
DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-1-117742-00

OWNERS: KYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601  
NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

ELUV DATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-4-117743-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

NELSON  
611 N JACKSON ST  
HELENA

MICHAEL

E

MT 59601

PRIORITY DATE: APR 1, 1904

FEET RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK

001

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-1-010262-00

OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION  
HELENA MT 59620

PRIORITY DATE: AUG 16, 1961

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U -1-117742-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA

MT 59601

NELSON  
611 N JACKSON ST  
HELENA

MICHAEL

E

MT 59601

PRIORITY DATE: APR 1, 1904

ELONG DATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-1-117743-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601  
NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q16 SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK Q16 SEC SEC TWP RGE COUNTY

001

SESWNE 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.



TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U : W-010269-00

OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER  
DEPARTMENT OF STATE LANDS  
CAPITOL STATION MT 59620  
HELENA

PRIORITY DATE: AUG 16, 1961

ELUV RATE:

YOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK 018 SEC SEC TWP RGE COUNTY

NWSNW 30 19N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK 018 SEC SEC TWP RGE COUNTY

001

NWSNW 30 19N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U--W-117742-00

OWNERS: NYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601  
NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWSW 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U-1-117743-00

OWNERS: MYLES 57 INC  
611 N JACKSON ST  
HELENA MT 59601  
NELSON MICHAEL E  
611 N JACKSON ST  
HELENA MT 59601

PRIORITY DATE: APR 1, 1904

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: SPRING, TRIBUTARY OF HENRY CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: APR 1 TO OCT 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

SESWNE 03 18N 04W LEWIS & CLARK FLOWING

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

SESWNE 03 18N 04W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

HELENA, MONTANA

HELENA, MONTANA 59620

(406) 449-2872 ADMINISTRATOR  
(406) 449-2864 ENGINEERING BUREAU  
(406) 449-2872 WATER DEVELOPMENT BUREAU  
(406) 449-2872 WATER MANAGEMENT BUREAU  
(406) 449-3962 WATER RIGHTS BUREAU

June 27, 1984

Tim Sullivan  
Water Master  
Box 879  
Bozeman, MT 59715

Re: Letter of June 18, 1984

Dear Tim:

Enclosed are corrected owner abstracts and decree copies for claims 41U-W-096374-00 and 41U-W-183445-00. These claims were previously in Basin 41K.

Sincerely,

Jim Kindle  
Records Supervisor  
Water Rights Bureau

Enclosures  
JK/pg



**MONTANA WATER COURTS**  
**STATE OF MONTANA**

**MEMORANDUM**

**WATER JUDGES:**

Upper Missouri River Basin  
Chief Judge W. W. Lessley  
P.O. Box 875  
Bozeman, MT 59715

Lower Missouri River Basin  
Judge Bernard W. Thomas  
P.O. Box 938  
Chinook, MT 59523

Clark Fork River Basin  
Judge Robert M. Holter  
Lincoln County Courthouse  
Libby, MT 59923

Yellowstone River Basin  
Judge Rny C. Rodeghiero  
P.O. Box 448  
Roundup, MT 59072

**TO:** Jim Kindle, Records Section  
DNRC Water Rights Bureau

**FROM:** T. Sullivan

**DATE:** June 18, 1984

**RE:** Claims 41K-W-096374 and 41K-W-183445

The above claims were mistakenly assigned to the Sun River Basin (41K0) but they belong in the Dearborn River Basin (41U). Please correct the abstracts to show they belong in the Dearborn Basin (41U).

We will need corrected copies to send to the owners and to be placed on record with the Temporary Preliminary Decrees already issued. Please send the corrected copies to the Water Courts.

  
Tim Sullivan,  
Water Master

Enclosures (Abstracts)

**FILMED**

JUN 24 1984

BY \_\_\_\_\_

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U -W-026374-00

OWNERS: MCGILLIS DONALD  
4401 RIVER DR N  
GREAT FALLS MT 59401

PRIORITY DATE: DEC 31, 1891

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: UNNAMED TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

NESWSW 27 19N 05W LEWIS & CLARK DAM

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWSW 27 19N 05W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

TEMPORARY PRELIMINARY DECREE ON DEARBORN RIVER BASIN  
BASIN 41U  
ABSTRACT OF WATER RIGHT

WATER RIGHT NUMBER 41U -W-103445-00

OWNERS: MCGILLIS DONALD  
4401 RIVER DR N  
GREAT FALLS MT 59401

PRIORITY DATE: DEC 31, 1891

FLOW RATE:

VOLUME: 30 GALLONS PER DAY PER ANIMAL UNIT

THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCKWATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORIC USE OF THE AREA SERVICED BY THIS WATER SOURCE.

SOURCE: UNNAMED TRIBUTARY OF HOGAN CREEK

PURPOSE (USE): STOCK

PERIOD OF USE: JAN 1 TO DEC 31

POINTS OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

29 19N 05W LEWIS & CLARK DIRECT FROM SRC

PLACE OF USE FOR STOCK

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001

29 19N 05W LEWIS & CLARK

REMARKS: SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER DELINEATION OF THIS RIGHT.

BASIN

414

**NOTICE OF OBJECTION  
AND REQUEST FOR  
PRELIMINARY HEARING**

Sept. 27, 1984



IN THE WATER COURTS OF THE STATE OF MONTANA  
UPPER MISSOURI DIVISION - DEARBORN RIVER BASIN  
\* \* \* \* \*

NOTICE THAT OBJECTIONS HAVE BEEN FILED AND THOSE OBJECTORS  
HAVE REQUESTED PRELIMINARY HEARINGS

This is notice that objections have been filed and hearings have been requested on several of the water rights issued in the Dearborn Temporary Preliminary Decree. If your water right was objected to by another party, you will receive a special notice of that objection attached to this sheet.

WHAT HAPPENS NEXT?

A hearing will be held on those water rights that have been objected to. You are notified that an individual water right may be altered as a result of a hearing requested by another party.

WE SUGGEST YOU LOOK AT ALL OF THE OBJECTIONS FILED IN THE DEARBORN RIVER BASIN. THEN YOU CAN DECIDE WHETHER YOU WANT TO APPEAR AND TAKE PART IN ANY HEARINGS. SEE BELOW WHERE YOU CAN SEE THE LIST OF OBJECTIONS FOR YOUR BASIN.

HOW TO APPEAR AND PARTICIPATE IN HEARINGS ON OBJECTIONS

To participate in any hearing on objections filed in this Basin, you MUST file a Notice of Intent to Appear. THAT NOTICE MUST BE ON THE FORMS PROVIDED BY THE WATER COURTS. These forms can be found at the offices listed on page 2.

ALL NOTICES TO APPEAR MUST BE FILED AND RECEIVED BY THE 2nd DAY OF November, 1984.

Notices to Appear must be sent to the Water Courts, P.O. Box 879, Bozeman, MT 59715.

The failure to file a Notice may, at the discretion of the Water Judge or Water Master, result in the exclusion of the party from further proceedings or in the continuance of the hearing if the party failing to file appears at the hearing. THOSE PARTIES WHO FILED THE ORIGINAL OBJECTION DO NOT NEED TO FILE A NOTICE OF INTENT TO APPEAR AND PARTICIPATE.

WHERE TO SEE THE LIST OF OBJECTIONS

A listing of all of the objections is available for review at:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, Montana 59715
2. Department of Natural Resources and Conservation, Water Rights Bureau, 32 South Ewing, Helena, MT 59620
3. Department of Natural Resources and Conservation, Field Office, 28 South Rodney, Helena, MT 59620
4. Clerk of Court, Cascade County Courthouse, Great Falls, MT 59401
5. Clerk and Recorder, Cascade County Courthouse, Great Falls, MT 59401
6. Clerk of Court, Lewis and Clark County Courthouse, Helena, MT 59601
7. Clerk and Recorder, Lewis and Clark County Courthouse, Helena, MT 59601

(Over Please)

A copy of any specific objection in its entirety can be obtained from the Water Courts, P.O. Box 879, Bozeman, MT 59715; phone 586-4364.

If you have other questions, you may call the Water Courts.

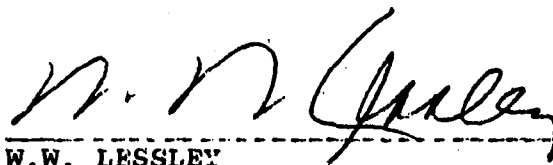
#### WHAT HAPPENS AFTER?

The Court shall notify those parties who filed an objection or Notice to Appear in a particular preliminary hearing before the time any proceedings are set by the Water Courts.

THE WATER COURT RULES AND FORMS ARE AVAILABLE AT THE OFFICES LISTED BELOW:

1. Water Courts Office, P.O. Box 879, 601 Haggerty Lane, Bozeman, MT 59715
2. Clerk of Court, Cascade County Courthouse, Great Falls, MT 59401
3. Clerk of Court, Lewis and Clark County Courthouse, Helena, MT 59601

DATED this 27th day of September, 1984.



W.W. LESSLEY  
Chief Water Judge  
Montana State Water Courts  
P.O. Box 879  
Bozeman, MT 59715

Amended

BASIN

4/4

**CERTIFICATE  
OF MAILING  
NOTICE OF OBJECTION  
AND REQUEST FOR  
PRELIMINARY HEARING**

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
WATER RESOURCES DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 444-6601 ADMINISTRATOR  
(406) 444-6646 ENGINEERING BUREAU  
(406) 444-6668 WATER DEVELOPMENT BUREAU  
(406) 444-6601 WATER MANAGEMENT BUREAU  
(406) 444-6610 WATER RIGHTS BUREAU

HELENA, MONTANA 59620

July 8, 1985

Ms. Chris Jenson  
Water Courts  
Box 879  
Bozeman, MT 59715

Dear Chris:

Enclosed is the amended certificate of mailing for the Notice of  
Objection and Request for Preliminary Hearing for the Dearborn River Basin  
(Basin 41U). This mailing was conducted between September 27, 1984 and  
July 8, 1985.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim".

Jim Kindle  
Records Section Supervisor  
Water Rights Bureau

Enclosure  
JK/jg

**AMENDED CERTIFICATE OF MAILING**

\*\*\*\*\*

1. all parties in the Dearborn River issued permits for water use in that Basin pursuant to 85-2-301, MCA, 1978, or their successor in interest;

2. all parties who have applied for permits for the use of water in the Dearborn River Basin pursuant to 85-2-301, MCA, 1978;

3. all parties who have been granted a reservation in the Dearborn River Basin pursuant to 85-2-316, MCA, 1978;

4. all parties in the Dearborn River Basin who have received certificates of water rights pursuant to 85-2-306, MCA, 1978, for wells under 100 gallons per minute; the following has been sent:

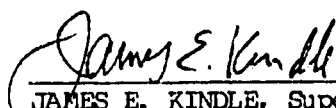
a. owner address changes only. Based on research, all parties have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree;

b. transferred owners. Based on research, all apparent successor in interest for water rights concerning return mail have been sent the Notice of Objection and Request for Preliminary Hearing for the Temporary Preliminary Decree and Water Right Transfer Certificate forms.

This mailing and distribution was made under my direction and control from September 27, 1984 and July 8, 1985.

Original documents concerning return mail, envelopes, research, correspondence, field office confirmation and field office certification of mailing can be found in original files and microfilm files.

Dated this 8<sup>th</sup> day of JULY 1985.

  
JAMES E. KINDLE, Supervisor  
Records Section, Water Rights Bureau  
Water Resources Division  
Dept. of Natural Resources and  
Conservation  
State of Montana


attachment

Log of noticed water right owners in the basin

State of Montana       )  
                              : ss.  
County of Lewis & Clark)

On this 8<sup>th</sup> day of July 1985, before me, a Notary Public in and for said state, personally appeared James E. Kindle, known to me to be a Supervisor for the Water Resources Division of the Department of Natural Resources and Conservation, and acknowledges to me that he, in his official capacity, executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

  
John P. Gilman  
Notary Public for the State of Montana  
Residing at Helena  
My commission expires 1-21-1987

ATTACHMENT TO THE AMENDED CERTIFICATE OF MAILING FOR THE NOTICE OF  
OBJECTION AND REQUEST FOR PRELIMINARY HEARING

BASIN 41 U

FOR THE NAME VARIATION LIST, SEE THE CERTIFICATE OF MAILING FOR THE  
NOTICE OF OBJECTION AND REQUEST FOR PRELIMINARY HEARING.

DIFFERENCES BETWEEN THE FOLLOWING RETURN MAIL LIST AND THE ONE WITH THE  
AMENDED CERTIFICATE OF MAILING FOR THE TEMP. AND/OR PRE. DECREE INDICATE  
THE RETURN MAIL FOR THE OBJECTION NOTICE.



08/23/84 18/49

Ret. mail list

NAME VARIATION CHECK ON NEW APP &amp; SB76 OWNERS - BASIN 410

PAGE

ALT	CARLIN	J
ALT	PAULINE	B
ANDERSON	DOROTHY	M
ANDERSON	JAMES	R
APS CORP	FRANCES	
ASHWORTH	WILLIAM	L
ASHWORTH	PHYLLIS	A
BARETT	WARREN	
BARETT	BETTY	
BAY	BETTY	A
BEAN	ETHEL	M
BEAN	WALLACE	L
BEAN	IRVIN	R
BRANDJORD	JOANN	D
BRANDJORD	HELEN	D
BROWN	JUDY	G
BURGGRAPH	PETER	B
BURGGRAPH	PETER	B
BURGGRAPH	PETER	A
BURROWS	EARL	A
BURROWS	JUDITH	F
C BAR N MISSION	BOARD	L
CANFIELD	ALICE	
CANFIELD	LESTER	M
CANYON CATTLE CO	CHESTER	E
CLELAND	BOBBY JEAN	C
CRABTREE	FRANK	C
CRABTREE	KENT	B
CREBU	D	M
CURRAN	D MICHAEL	
CURRAN	D MICHAEL	
CURRAN	D MICHAEL	
CURRAN	MICHAEL	D
CURRAN OIL CO		
DEARBORN CANAL	& WATER CO	
DEBUS	DOROTHY	B
DELLMO	ROBERT	N
DIEZIGER	DELBERT	N
DIEZIGER	SHARON	L
DURR	CHARLES	F
DURR	SYLVIA	D
DURR	JERRY	D
-DUTCHAK	W	J
-DUTCHAK	W WILLIAM	W
DUTCHAK	KATHIE	
ELDER	KENNETH	J
ELDER	DORIS	S
FABEL	LELAND	
FABEL	GARY	
FRANKLIN	RUTH	J
FRANKLIN	ARLETTIA	E
FYFE	WILLIAM	
FYFE	GILBERT	
GILBERT	TOM LIVESTOCK CO	N
GILBERT	ROBERT	
GULF	ELIZABETH	C

BOX 211  
BOX 124  
BOX 352  
BOX 352  
710 10TH AVE SW

BOX 268  
BOX 268  
BOX B

BOX B

125 RIVERVIEW DR E  
125 RIVERVIEW DR E

PO BOX 173

PO BOX 173  
2018 6TH AVE SOUTH  
2018 8TH AVE SOUTH  
BOX 444

CRAIG RT  
712 MAIDEN  
MISSION RT  
MISSION RT

210 GRAHAM  
X FIRST NATIONAL BANK BLDG  
FIRST NATIONAL BANK BLDG  
1ST NATIONAL BANK BLDG  
1ST NATIONAL BANK BLDG SITE 500  
1ST NATIONAL BANK BLDG  
1ST NATIONAL BANK BLDG  
K ED BARRETT  
1501 CHESTNUT  
BOWMAN'S CORNER  
3604 5TH AVE S  
710 10TH AVE SW  
710 10TH AVE SW  
905 7TH AVE NW  
RT 1 W BOX 236  
RR 1362

SUITE 500  
SUITE 500  
SUITE 500  
SUITE 500  
SUITE 500  
SUITE 500  
DEARBORN RANCH

1400 HAUSER BLVD  
1400 HAUSER BLVD  
1512 2ND AVE SO  
1612 2ND AVE SO  
4428 6TH AVE S  
4428 6TH AVE S  
1612 2ND AVE SO  
1612 2ND AVE SO

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3837 4 AVEN N

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

08/23/84 18/49

NAME VARIATION CHECK ON NEW APP &amp; SB76 OWNERS - BASIN 41U

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GREAT FALLS  
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CASCADE  
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AUGUSTA  
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WOLF CREEK  
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BOZEMAN  
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ULM  
HELENA  
HELENA  
AUGUSTA  
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SAND COULEE  
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AUGUSTA  
CASCADE  
CASCADE  
GREAT FALLS  
CASPER  
WOLF CREEK  
COEUR D'ALENE  
HELENA  
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CASCADE  
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HELENA  
HELENA

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**PAGE**

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2701 PROSPECT  
BOX 285  
BOX 265  
BOX 385  
BOX 385

611 N JACKSON ST  
710 10TH AVE SW  
(611 N JACKSON ST  
611 N JACKSON ST  
1401 11TH AVE S  
1901 9TH AVE  
208 SMELTER AVE  
208 SMELTER AVE

2120 5TH AVE N  
2120 5TH AVE N  
3433 8TH AVE N

TR 2511 GENTRY LEANE  
2422 WALNUT ST  
(504 4TH AVE S )  
504 4TH AVE S  
300 38TH ST N  
300 38TH ST N  
2020 1ST AVE SW  
2020 1ST AVE SW  
120 RIVERVIEW 3 EAST  
1712 13TH AVE S  
RT 1 SOUTH  
708 7TH ST N  
(708 7TH ST NO  
708 7TH ST N  
708 7TH ST NO  
BLACK TAIL RANCH  
3411 7TH AVE S  
3411 7TH AVE S  
~~1313 15TH ST SOUTH~~  
1313 15TH ST SOUTH  
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1313 15TH ST SOUTH  
STAR RT  
STAR RT  
1301 2ND WEST HILL DRIVE  
1301 2ND WEST HILL DRIVE  
1301 2ND WEST HILL DRIVE  
309 26TH ST NW  
3433 8TH AVE NORTH  
3433 8TH AVE NORTH  
3433 8TH AVE N

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11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044

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GREAT FALLS  
 GREAT FALLS  
 AUGUSTA  
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 SEATTLE  
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 BILLINGS  
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 HELENA  
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